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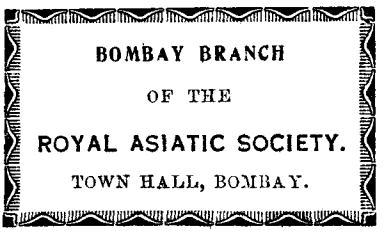


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*Historic Towns*

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# COLCHESTER

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EDITED BY

**E. A. FREEMAN, D.C.L. and the REV. WILLIAM HUNT, M.A.**

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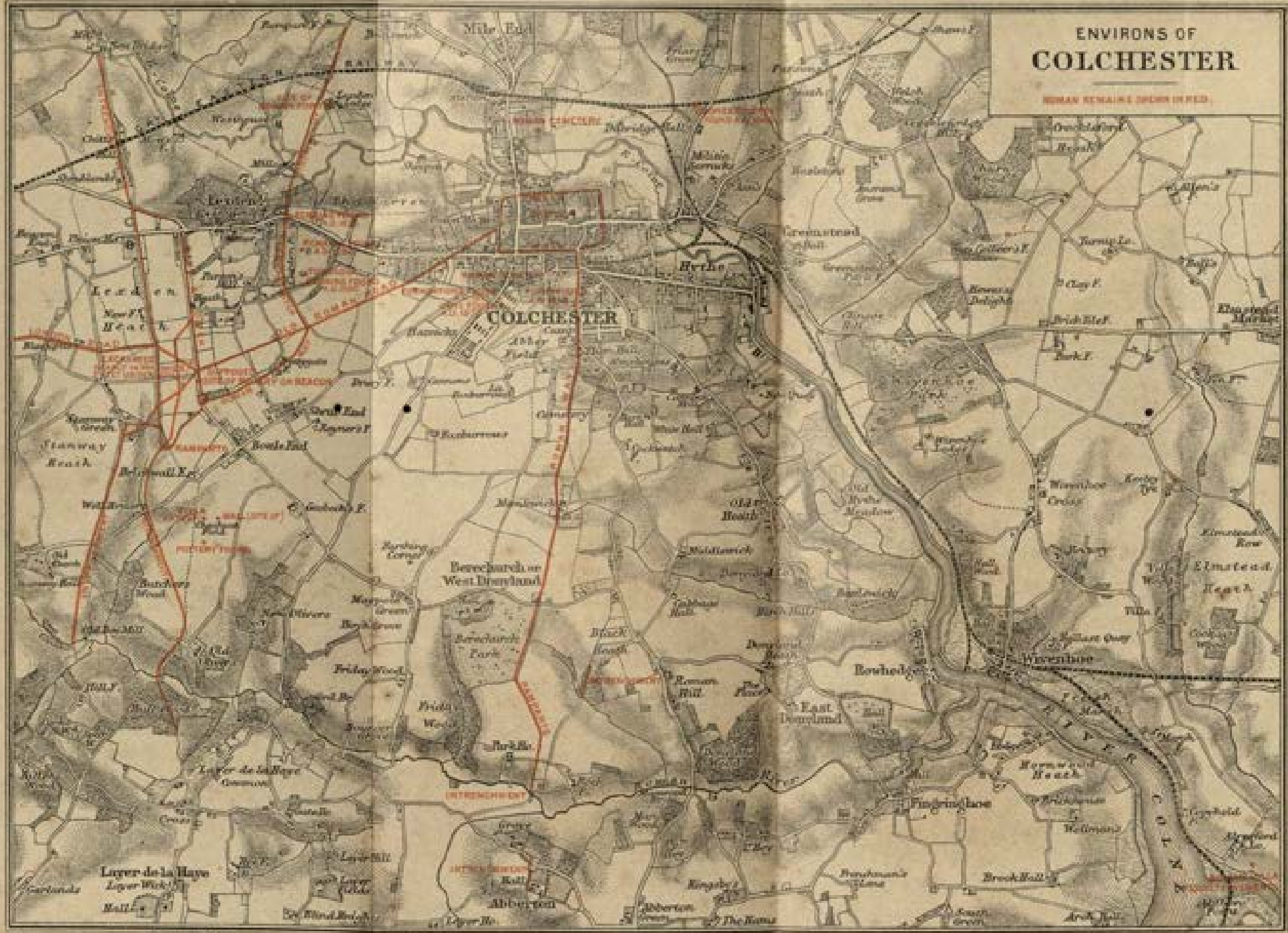
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*Historic Towns*

# COLCHESTER

BY THE

REV. EDWARD L. CUTTS, B.A.

*sometime Hon. Sec. Essex Archæological Society*

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LONDON

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# PREFACE.

In writing this book I have made free use of every accessible source of information known to me. As it has been thought undesirable to weight the text with acknowledgments, I desire emphatically to record here my obligations to Mr. J. Horace Round's papers in the *Antiquary* on the Colchester Domesday; to Mr. Laver, for information on the Roman roads and earthworks; and to Mr. Joseph Jacobs, B.A., for the novel and valuable information on the Jews in Colchester contained in Chapter XIII.

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# COLCHESTER.

## CHAPTER I.

### THE OPPIDUM OF THE TRINOBANTES.

Colchester the earliest of the historic towns of England—Founded by Claudius as a colony; before that, the Royal town of Cymbeline; before that, the Oppidum of the Trinobantes—Mandubratius, prince of the Trinobantes, flees to Cæsar—Cæsar invades Britain—The tribes unite under Cassivellaunus; are defeated; make peace with Cæsar—Mandubratius restored to his princedom.

AMONG the historic towns of England, Colchester has some claim to take rank as the earliest of them all. It was certainly the first town which the Romans built in Britain; for Claudius founded it, about 50 A.D., to serve as a monument of the victory here which had made him master of the southern part of the island, and to secure the territory already won while the legions marched on to further conquests in the west and north. For half a century before Claudius with his legions and his elephants appeared before it, it had a distinct historical existence as the 'Royal town'—as Dio Cassius calls it—of Cunobelin, the Cymbeline of Shakespeare;

and even in those days it had some pretensions to civilisation, and was the political centre of the southern part of the island. Half a century earlier still, as the Oppidum—as Julius Cæsar calls such an entrenched fastness—of the Trinobantes, it appears indistinctly in the earliest dawn of our island story.

Cæsar had nearly completed his conquest of Gaul when his camp was visited by a fugitive prince from Britain, whose representations seem to have suggested to him the design of an expedition against that barbarous island lying outside the world in the stormy ocean. The British refugee was Mandubratius, the prince of the Trinobantes. We infer from incidents in the history that there existed among the tribes of Southern Britain the custom which we find among their continental kindred, and which is notably illustrated in the history of the Merovingian family in Gaul, of a division of the estates of a father among his sons, even where the father is a king and his estates are kingdoms. The custom was fruitful, generation after generation, in domestic tragedies and civil revolutions. The appearance of Mandubratius in the camp of Cæsar was the result of one of these catastrophes. In the division of their father's possessions, Immanuentius had received the chiefship of the Trinobantes, and Cassivellaunus, the younger brother, had received the chiefship of the Cassii. Immanuentius is probably the same person who is called Lhudd, or Lud, by the native historians, and the name which Cæsar latinizes into Cassivellaunus was probably Caswallon. The ambitious younger brother had slain his elder brother, and on the pretext that his nephews (Androgeus and Tenuantius, Geoffrey of Mon-

mouth calls them) were incapable of governing on account of their age, Cassivellaunus seized the chiefship of the Trinobantes also. Androgeus (Mandubratius) fled for his life to Gaul, and sought the dangerous aid of the Roman arms to avenge his wrongs and recover his kingdom.

Of the two British expeditions of Cæsar, the second, in the summer of 54 B.C., brought him into relations with our Trinobantes. On his landing, the British tribes made peace among themselves in order to oppose an united force against the invader. The situation seems to have been this; immigrants from the Belgic tribes of Gaul had recently conquered for themselves settlements on the southern coasts of Britain; north of the Thames, between that river and the Stour, the princely family now represented by Cassivellaunus ruled the Trinobantes and the Cassii, and also wielded some kind of authority over the other British tribes inhabiting the belt of country westward to the Severn, if not to the sea. The 'perpetual wars' which Cæsar says Cassivellaunus waged with 'the other states' seem to have been especially with the Belgic tribes, over which the British king was trying to assert the ancient supremacy of his house. The Belgic tribes, it would seem, when they found the Romans upon them, appealed to Cassivellaunus for peace and for assistance against the common enemy, and purchased his consent by putting themselves under his command.

Cæsar landed on the south coast, probably near Dover. His plan of campaign was to march through the country, ford the Thames, and attack the territory of Cassivellaunus. The lowest point at which the river

was fordable was at a point now called Coway Stakes, a little below the mouth of the Wey. Here the Britons made a last stand; but the Romans having crossed with unexpected facility, and inflicted a heavy defeat, the British commander dismissed the greater part of his forces, and, with 4,000 chariots, limited his operations to harassing the Roman advance.

This disbandment of the British forces led to great results. The Trinobantes, 'wellnigh the most powerful state of those parts,' sent ambassadors offering their surrender, and asking Cæsar to protect Mandubratius, and to send them some one to govern them. Cæsar demanded of them forty hostages, and corn for his army, and complied with their evident wish by sending them Mandubratius as their chief. The submission of this tribe was followed by that of the Cenimagni, Segontiaci, Anealites, Bibroci, and Cassii, the tribes occupying all the coast from the Yar to the Nen, and the inland districts answering to the present counties of Middlesex, Hertfordshire, Berkshire, Bedfordshire, and Buckinghamshire. From them he learnt that the capital town of Cassivellaunus was not far off, defended by woods and morasses, and that large numbers of men and cattle had been collected there. 'Now the Britons,' Cæsar explains, 'when they have fortified the intricate woods in which they are used to assemble for the purpose of avoiding the incursion of an enemy, with an entrenchment and a rampart, call it a town.' Thither Cæsar accordingly proceeded, and found the place 'admirably fortified by nature and by art;' but he made an assault upon it, and took it with many men and much cattle. It is probable that this nameless town

of the Cassii was on the site afterwards occupied by the Roman town of Verulamium, and that the corresponding stronghold of the Trinobantes, which Cassivellaunus had wrested from Mandubratius, and to which Cæsar restored the young prince, was our Camulodunum, the predecessor of Colonia, the predecessor of Colchester.

Meantime Cassivellaunus had sent orders to the four kings of Kent to make a diversion by attacking Cæsar's naval camp; but they were repulsed with heavy loss. Then the British commander sent ambassadors to Cæsar to treat. Cæsar, anxious to conclude the matter, for winter was approaching, stipulated that Cassivellaunus should not wage war against Mandubratius and the Trinobantes, demanded hostages, prescribed a tribute, and sailed away with many prisoners. Dio Cassius says that 'Cæsar carried away with him from Britain, whether for the Republic or for himself, nothing but the glory of having undertaken an expedition to the island. He was very proud of it himself, and all the Roman world talked of it with enthusiasm' (xxxix. 53). It brought no permanent advantage to Rome. Soon afterwards the Civil wars broke out, in which the swords of the leading men of the Republic were turned against one another, and grander issues diverted men's minds from designs against a remote and barbarous island. When the world was again at peace, Augustus more than once intended to add Britain to the Empire, but was prevented from the undertaking. Caius Caligula also made preparations for an invasion, but was diverted from it. It was a hundred years before Roman legionaries again landed on the shores of Cantium.

## CHAPTER II.

### THE ROYAL TOWN OF CUNOBELIN.

Authorities for the chapter—Native chronicles—Coins—Incidental notices in the classical writers—Effect of Cæsar's expeditions—Growth of civilisation—Tasciovanus—Cunobelin—Cunobelin wins the princedom of the Trinobantes—Description of the Trinobantine territory, and the fastness of Camulodunum—Flight of Adminius to Caligula; the Emperor's ovation for his acquisition of Britain.

WHEN Cæsar's narrative of his second expedition to Britain comes to an end, it is as if the sun suddenly went down and left us to grope through the next stage of our journey in the twilight. And this next stage of the journey occupies a century; for it is not till A.D. 44 that it is again worth the while of a Roman historian to turn his attention to our island; then it is in order to record the exploit of an emperor and the conquest of a province.

For the history of this century our authorities are, first the native chronicles, which, though not to be trusted unless corroborated, must not be altogether thrown aside; secondly, the evidence of the coins, which is evidence of the most trustworthy kind, if only we can decipher correctly and successfully put together the bits of contemporary history which each barbaric impress represents; lastly, we have some incidental notices

of the island in the Roman historians, which serve as landmarks, few and far between, by which to verify our progress.

Cæsar's invasions mark the beginning of a new era in the history of the island. Not so much through direct intercourse with Rome, of which there was probably very little, as through the medium of Gaul, Roman civilization began to exercise an influence in Britain; for the Gauls took kindly to the arts and manners, the language and dress, of their new masters; and the constant communication which was held between the tribes on the northern coasts of Gaul and their kindred on the southern coasts of Britain, could not fail to have the effect of introducing the new civilization from one to the other. Indeed, it seems probable that the progress of civilization in the southern parts of Britain, before its conquest by Claudius, was much more considerable than we have been in the habit of supposing. A system of roads of very great antiquity has been traced traversing Britain from corner to corner of the great parallelogram contained between the Straits of Dover and Menai, the Humber and Seaton Bay. These roads are only partly coincident with the Roman military ways; the Roman Itineraries make only partial reference to them. They seem to belong to a period anterior to the Roman conquest; and they indicate that the southern part of the country must then have been advanced far beyond the state of mere barbarism; they even seem to imply that this portion of the island must have had some community of interest and of action, social or political or religious, or all three. As early as the time of Nero, London had become an

important commercial town, frequented by the merchants of Gaul and Germany. Suetonius says that in the conquest of the Belgæ and Dumnonii, in the south-west of the island, Vespasian took twenty towns; and the geographer Ptolemy, writing only fifty years after the conquest of Claudius, enumerates by their British names as many as fifty-six places which he dignifies with the name of cities. For a century before Cæsar's expeditions Britain had a gold coinage, copied from that of Gaul, which fact alone reveals a condition of society considerably above mere barbarism; and one indication of the growing influence of Roman civilization consequent upon the expeditions of Cæsar is that very soon afterwards the princes began to impress inscriptions in Roman letters upon their coins. All this implies a considerable growth of civilization among the Britons before the conquest of Claudius forced Roman institutions upon them.

We have seen that Cæsar restored Mandubratius to his princedom of the Trinobantes and forbade Cassivellaunus to molest him. Cassivellaunus retained his princedom of the Cassii and the general authority over the other tribes, which had been conceded to him at the beginning of the campaign of 54 B.C., recognised as permanent by Cæsar in making the final treaty of peace with him, and no doubt strengthened by this recognition. The coins form our principal evidence for the sequel of the history of the royal family of the Trinobantes, and of the Oppidum of the Trinobantes, from the time of Cæsar to that of Claudius. Among the earliest of the inscribed coins a considerable number, found chiefly in Hertfordshire, but scattered over adjoining districts,

bear the name of TASCIOVANUS (or some of its abbreviations, TASC., TASCIO., TASCIOVAN.); some of these bear the name of the place where they were coined under the abbreviation of VER., for Verulamium; others bear the place names of SEGO., CALLE., VRICON., SOLIDO., CVN., contractions probably for Segontium, Calleva, Uriconium, Solidunum, Cunetio, the towns of other tribes where these coins were minted, and which therefore owned the sovereignty of Tasciovanus.

Cunobelin on his coins frequently describes himself as TASC. F., which the numismatists read Tascovani Filius, son of Tasciovanus. We put Tasciovanus therefore into our pedigree as the father of Cunobelin. But we have to search elsewhere for the relation between Tasciovanus and Cassivellaunus. The classic historians contain nothing on the subject. Geoffrey of Monmouth says that 'Cassivellaunus was succeeded by Tenuantius, brother of Androgeus, for Androgeus had gone to Rome with Cæsar. He was a warlike man and a strict observer of justice. After him, Kymbellinus, his son, was advanced to the throne, being a great soldier, and brought up by Augustus Cæsar.' The Chronicle of Tysilio says that Tenuvan was the brother of Avarwy (who seems, therefore, to be identical with Geoffrey's Androgeus and Cæsar's Mandubratius), and makes Tenuvan the father of Cynvelin. On this evidence we identify the Tasciovanus of the coins with the Tenuantius or Tenuvan of the Chronicles, and assume that he succeeded Cassivellaunus in the chiefship of the Cassii and the suzerainty of the southern tribes. It is probable that he began to reign about twenty-four years after the invasion of Cæsar—*i.e.* A.D. 30.

We learn from the coins that Tasciovanus had two sons, Epaticcus and Cunobelinus, that Epaticcus succeeded to a small share of the western dominions of his father, his coins being found chiefly in West Surrey and East Wilts, and that he only ruled over it for a short time. The same evidence indicates that Cunobelin succeeded to the larger eastern portion of his father's dominions, but that already in his father's lifetime he had made himself prince of the Trinobantes, by driving out the existing prince, Dubnovellinus, whom we naturally suppose to be the successor of Mandubratius in the princeship of this tribe. The coins indicate pretty clearly that Dubnovellinus was prince of the Trinobantes before the succession of Cunobelin, and that Cunobelin immediately succeeded him, somewhere about 5 B.C.

There is an interesting piece of evidence that this Dubnovellinus, when ousted from his princeship, did as so many of his family did under similar circumstances, fled to Rome and appealed to Cæsar; for in the abstract of the events of the reign of Augustus at Ancyra, among the princes who are recorded as having been suppliants to the Emperor, appear the names of several British princes, and one of them is Damno Bellaunus, a name which we need not hesitate to accept as the same as the Dubnovellinus of the coins. Again by the testimony of the coins, we ascertain that on his acquisition of the Trinobantine princedom, Cunobelin moved his residence to its oppidum of Camulodunum.

The district of country on the east of England between the Thames and the Stour was the country of the Trinobantes. At that time it was much more isolated from the rest of the country by natural barriers

than it is at present. Before the Thames had been embanked, which in all probability was done by the Romans when they began to make roads, improve waterways, and reclaim land in their new province, the river overflowed the lowlands on either side and formed an estuary extending from a little below, or perhaps a little above, London to the sea. On the north side the country of the Trinobantes was similarly protected by the estuary of the Stour. This river, traced upward from Harwich, presents first, a large estuary; secondly, a large marshy valley, which is often covered with water for many miles in length, and which, probably in ancient times, was a prolongation of the estuary. The Lee flows through a wide marshy valley; and to its marshes follow those of the Stort. The only part open to an attack is the space between the upper valley of the Stour and the upper valley of the Stort.

Safely situated deep in the recesses of this Trinobantine peninsula was the fastness of the tribe, the Oppidum of Camulodunum. The derivation and meaning of the name are quite unknown; the first syllable of it frequently enters into names of persons and places of this early time, as Cambria, Camboritum, Cambretonium; Cæsar (B.G. VII., c. lix.) mentions a Camulogenus, one of the Aulerci of Gaul; there was a Gallic deity Camulos; and perhaps the most plausible derivation which has been suggested is the Town of Camulos. The evidence of the Itineraries, of Tacitus, and above all of the actual British and Roman remains, indicates that the site of Camulodunum was at or near Colchester. The place which is thus identified as the ancient fastness of the Trinobantines is bounded on the north and

east by the river Colne, on the south by the smaller stream which has the significant name of the Roman River, and these natural defences are completed on the west by the ancient earthen rampart called Gryme's Dyke, which runs across Lexden Heath from the Colne to the Roman River, about two miles distant from the point where they unite. This tableland, defended by its rivers and rampart and surrounded by forest, corresponds very exactly with Cæsar's description, given on a former page, of a British Oppidum, 'fortified by nature and by art.' When we look for evidences of its British occupation, we do not fail to find them. The rampart which forms its western boundary, with a ditch on its west side, is the ancient boundary of the manors, the parishes, and the liberties of the borough—i.e. it existed before manors, parishes, and borough. The earlier antiquaries mention flint spearheads as being found in the neighbourhood of the rampart; weapons of flint and bronze, urns, and British coins, have been found in abundance scattered over the large area which we assume to be the Oppidum. A short distance within the rampart there is a lofty tumulus which is probably British. Three British roads are to be recognised as converging within this enclosure: one towards London, another towards St. Albans, and another north-eastward towards the country of the Iceni. If these seem to be scanty relics of a long British occupation, it may be noted that the extant relics of the Saxon occupation of the same site during four centuries are still more scanty.

We have no reason to suppose that Cumulodunum remained in the condition of a mere fastness, the occa-

sional refuge only of the tribe in time of danger, down to the time that Cunobelin made it his 'royal town.' Rather we should suppose that the rapid spread of civilization after the time of Cæsar soon led to the founding of a settled town here, after the fashion of the Gallic towns; though, in truth, we know very little of the fashion of the Gallic towns. Very possibly the royal house was only a larger timber building, of the usual circular shape, or a group of several such buildings, arranged as convenience required or chance suggested, within a stockaded enclosure; while the other houses, each within its circular enclosure, were scattered without plan over the area within the external defences.

The vague indications which we derive from the histories that Cunobelin's power and dignity exceeded those of all the British princes who had preceded him are amply borne out by the large number of his coins, the great variety of their types, and the wide extent of country over which they are found. In the early part of his reign his coinage is of the same rude character as that of his father Tasciovanus; but either his mint-masters soon began to copy Roman types, or he obtained the help of Roman designers in his mints. In numerous instances the designs are taken from Roman coins: the divinities represented on them are Jupiter Ammon, Hercules, Apollo Musagetes, Diana, Cybele on a lion, &c.; and the workmanship is either that of Roman artists or of those who had profited by Roman instruction.

If, as seems certain, Cunobelin eventually succeeded to the whole of his father's dominions, to which he added the country of the Trinobantes, then his direct

rule extended over the Trinobantes, Catyeuchlani, and at least part of the Boduni, *i.e.* over the modern counties of Essex, Middlesex, Hertfordshire, Bedfordshire, Buckinghamshire, and Oxfordshire; and it is probable that he exercised a supreme authority over the tribes inhabiting the whole belt of country including his own proper kingdom and stretching westward to the Severn, if not to the sea; and some sort of suzerainty over the other tribes of the south-eastern part of the island, between the Thames and the Channel.

Since Camulodunum was the political centre of this wide sovereignty and the scene of Cunobelin's long and prosperous reign, we may safely assume that it grew rapidly in population and prosperity; we cannot doubt that the royal town would be in the van of the general progress in civilization; and we should think it very possible that the king's strong Roman tastes and his introduction of Roman artists (as indicated by his coinage) might result in his having a royal house of Italian rather than British design, and in a considerable degree of personal refinement and domestic luxury. In this transition state of civilization the dress of a prince, the furniture of his house, and the smaller articles of use and ornament which can easily be imported from without, are often very far in advance of the house itself and of everything which depends upon native resources; so that it is very possible that the picture which Shakespeare draws of the court of Cymbeline may not be so much an anachronism as might at first be supposed.

One incident of Cunobelin's life is written by the Roman historians. From Suetonius and Dio we learn

that he had at least three sons, Adminius, Togodumnus, and Caractacus. Tacitus mentions others,[1] but does not name them. Suetonius tells us (A.D. 40) that Adminius, having been driven out by his father (whom Suetonius describes as *Britannorum Rex*), fled with a small band of followers to the Romans. We gather from the narrative that he professed to surrender to Caligula the sovereignty of Britain, asking, no doubt, in return to be placed by the Roman arms in the position of its tributary prince. On the strength of this Caligula sent letters to the Senate announcing the annexation of Britain to the Empire. The emperor certainly meditated an expedition to Britain, and the winter of 40 A.D. was spent by the legions in Gaul in preparations for the British war. When spring came the emperor was diverted from his intention, whether by mere caprice or by some political necessity, but he claimed the honour of an ovation for his successes over Britain, and marched through Rome, followed by Adminius and his fellow-refugees, a number of disguised Gauls being added to swell the scanty train of subject Britons.

This took place at the end of Cunobelin's reign, for when Claudius commenced his conquest of the island in 43 A.D. Cunobelin was dead. His death must, therefore, be placed between 40 and 43 A.D., and we have seen that he probably began his reign about 5 B.C., giving him a long reign of above five-and-forty years. He was succeeded by his sons Togodumnus and Caractacus.

[1] Ann. lib. xii. c. 35.

## CHAPTER III.

### THE COLONIA OF CLAUDIUS.

Bericus flees to Rome—The Emperor resolves to undertake the conquest of Britain—Aulus Plautius conducts the invasion—Sends for Claudius; who comes, wins a battle before Camulodunum, and receives the submission of the south-east of the island—Returns and receives a triumph—The war continued—Ostorius defeats Caractacus; disarms the Iceni—Founds a colony at Camulodunum—Description of the foundation and constitution of a colony—Revolt of the Iceni and Trinobantes under Boadicea; its suppression.

AGAIN for the third time the history reproduces the incident of a fugitive British Prince seeking the dangerous intervention of the Emperor of Rome in his domestic quarrel.

Dio Cassius[1] tells us that in the year 44 A.D. 'a certain Bericus, driven from the island of Britain by an insurrection, came to Rome.' Among the British coins found in the south-east of the island are some inscribed VERIC COM. F. REX—Veric, the son of Comius, king, who may with great probability be identified with this Beric. From the localities in which his coins are chiefly found it may be inferred that he ruled over the Attrebates, a

[1] The reign of Claudius is contained in one of the lost books of the *Annals of Tacitus*, and we have to fall back upon Dio as our chief authority.

Belgic tribe inhabiting Hampshire, with Calleva (Silchester ?) for their capital.

Bericus gained the ear of Claudius, and moved him to undertake an expedition to Britain. This emperor had taken Augustus for his model, and the invitation of the fugitive British prince reminded him that Augustus had twice entertained the design of a British expedition, but had been prevented from accomplishing it. He now resolved to undertake the conquest of Britain, and to be the first since Augustus to earn the honour of a real triumph by taking a personal part in the war.

Aulus Plautius, a senator and one of the most distinguished generals of the time, was directed to concentrate the Gallic legions for the expedition. But the command to invade this island outside the habitable world, which the great Julius had failed to conquer, seemed to the soldiers so unreasonable that they refused to follow their standards, and broke out into mutiny. The emperor sent Narcissus, his trusted and powerful freedman, to the camp to recall the soldiers to their duty. But when the freedman would have ascended the tribunal of the general to address the legionaries, they all at once broke out into derisive cries of 'Io Saturnalia,' in allusion to the custom at the great annual festival of the Saturnalia for slaves to assume the characters of their masters; then, as if to add emphasis to their contempt of the freedman, they returned voluntarily to their obedience to their general.

After long delay caused by this mutiny, the expedition at length set out. Four legions—the Second, Ninth, Fourteenth, and Twentieth—were selected as

the invading force. These legions, with the auxiliaries, were divided into three bodies, so as to lessen the risks of the dangerous voyage and debarkation. They crossed the Channel, however, in safety, and landed without opposition; for the Britons, not expecting, from the accounts they had received from Gaul, that the invasion would be undertaken, had not gathered their troops together. And even when the Romans began their march inland the Britons did not offer any opposition, but took refuge in the marshes and forests, hoping that the enemy would be worn out with delays, and would abandon the enterprise as Julius Cæsar had done. Plautius had therefore much difficulty in coming up with the enemy. When he did find them he conquered first Caractacus and then Togodumnus, both sons of Cunobellinus, 'for Cunobellinus himself was dead.' This engagement procured him the submission of a part of the Boduni, who were subject to the Catuellani. Having left a garrison there, he marched forward till he came to a river on whose opposite bank the Britons were encamped without precaution, for they believed that the Romans would be unable to cross it without a bridge. But Plautius sent across a party of his Gallic auxiliaries, accustomed to swim the most rapid streams with their arms, who, falling upon the enemy, and striking especially at the chariot horses, threw them into confusion; while Flavius Vespasianus (afterwards emperor, with his brother Sabinus, also crossed the river with the legionaries, and made a great slaughter of the Britons thus attacked. Next day, however, the Britons renewed the battle with great courage, but again sustained a severe defeat.

The Britons then retreated to the Thames 'at the place where it pours itself into the ocean and forms a port at its mouth.' Dio appears to mean by 'the ocean' the estuary of the Thames already described; so that the point indicated is somewhere not far from London; indeed, it seems probable that the 'port' mentioned may have been at London. Passing the stream without difficulty, through their intimate knowledge of the firm and practicable places, the Britons rallied on the other bank. Again the Roman auxiliaries crossed by swimming, while other bodies of troops crossed by a bridge higher up the river, then falling upon the enemy on several sides at once, they made a great slaughter. But they pursued the fleeing enemy without precaution and so got entangled among the marshes, where a great number of them perished. Togodumnus was among the British who were slain.

Plautius had now secured the passage of the Thames, and the time had come to remember the instructions he had received, to send for the emperor when occasion should arise worthy of his august intervention. The loss he had sustained, and the threatening attitude of the Britons, who were gathering men for further resistance, gave him the opportunity to demand the emperor's presence.

When the message reached Claudius, he embarked at Ostia, accompanied by a number of senators, with an escort of troops and a train of elephants, and sailed to Marseilles; thence, travelling partly by land, partly on the rivers, he arrived at the ocean [at Boulogne]; whence he crossed to Britain, and at length joined the army of Plautius, which waited for him on the banks of

the Thames. At its head the emperor crossed the stream, defeated the Britons in a pitched battle, and made himself master of Camulodunum, the city of Cunobellinus. A number of neighbouring tribes hereupon sent in their submission, and the legions again and again hailed Claudius as 'Imperator,' inasmuch as he had led them to the conquest of so many nations. Claudius disarmed these peoples, and committed the government of them to Plautius, with orders to enforce the submission of the rest of the country. Then, sending news of his victories before him, he hastened back to Rome, after an absence of six months, of which he had not spent more than sixteen days in Britain.

It was really a considerable achievement—perhaps the most considerable since the time of Julius; for it had brought the greater part of Southern Britain under the power of Rome. Claudius had planned it and had commanded in person in the critical part of the operations, and he had therefore some real ground for accepting the honours which the Senate showered upon him. They decreed him annual games; two triumphal arches, one at Rome, the other, which still exists, at Gessoriacum (Boulogne), where he had embarked to cross into Britain; the appellation of Britannicus for himself and his son; the extension of the Pomœrium of the city, by the inclusion of the Aventine, to correspond with the enlarged limits of the empire; and a coin, bearing on its reverse a seated figure of Britannia: a device which we English have adopted in our modern bronze coinage.

What had been accomplished so far seems to have been this. The Romans had conquered the country south of the Thames as far as the present border of

Hampshire, and had received as allies the Regni who peopled that county. They had conquered the Trinobantes, between the Thames and Stour, and probably some of the subordinate tribes of that second belt of country submitted at the same time. It would appear from the subsequent history that the powerful confederation in the third belt of country, of which the Iceni were the predominant tribe, entered into alliance with the Romans at this time; while the more northerly Brigantes had not yet come within the reach of the invaders.

Aulus Plautius was left in Britain with four legions, to complete its conquest. Vespasian, in command of the Second Legion, was sent into the south-west against the Belgæ and Dumnonii, 'where,' says Suetonius in his notice of his life, 'he first won military fame in thirty battles, in which he took twenty towns, and at length reduced to obedience that part of the island together with the Isle of Wight.' While Vespasian was thus completing the conquest of the south, Plautius himself marched westward, whither Caractacus had made his escape from the battle before Camulodunum, and was stirring up the subordinate tribes of the Trinobantine confederation, and the neighbouring tribes west and north, to resistance.

Sometime before A.D. 50 Aulus Plautius was recalled, and left the Trinobantine prince still unsubdued and hostile beyond the Severn. Caractacus, supposing that the new proprætor, Publius Ostorius Scapula, would not take the field at the beginning of winter and with an army of which he knew nothing, took the opportunity to burst into the territory of the allies of Rome and carry the war into the enemy's quarters. But Ostorius

made a rapid movement with his light cavalry, cut down all who opposed him, pursued the fugitives, and, as a measure of precaution, proceeded to disarm all whom he suspected, and to form a chain of encampments along the whole country from the Antona (Nen) to the Severn.

The Iceni, a powerful tribe which war had not weakened, as they had voluntarily accepted the Roman alliance, were the first to resist; the surrounding nations joined them; they awaited the Roman attack in a strong position, further strengthened by artificial defences, but were defeated, 'after performing many noble exploits.' The defeat of the Iceni quieted those who were hesitating between war and peace. Then the army marched against the Cangi, and ravaged their territory. Ostorius had advanced within a little distance of the sea facing the island of Hibernia, when feuds broke out among the Brigantes, and compelled the general to return; 'for,' says Tacitus, 'he was resolved not to undertake any fresh enterprise till he had consolidated his previous conquests. That he might effect this the more promptly, he established a colony of a strong body of veterans at Camulodunum, on the conquered lands, as a defence against the rebels, and as a means of imbuing the allies with respect for the Roman laws.'

It was not entirely of his own motion that Ostorius founded this colony; the emperor had given orders for its foundation. To plant a colony was the proper function of an 'Imperator.' Augustus, whom Claudius had taken as his model, had founded numerous colonies; his two successors, Tiberius and Caius, had not personally achieved any conquests, and had founded no colonies. Claudius had already founded Colonia (*Köln*)

and Augusta Treverorum (*Trier*), and he now purposed to erect a lasting monument of himself and of his conquest of Britain by the foundation of a colony of veterans at Camulodunum, the conquered capital of the Trinobantes. He gave it the title of *Claudiana* after himself, and *Victricensis*, in commemoration of his decisive battle there. Still further to glorify himself, and still in imitation of Augustus, who, at Lyons, had permitted his own divinity to be made an object of worship by the Gauls, Claudius directed the colonists to erect a temple to his divinity, as founder of the colony; and the most distinguished of the Britons were invited to enroll themselves in the college of the Claudian Flamens.

The laying out of a colony was accompanied by religious functions. The *Augur* took his stand in the centre of the territory to be allotted to the new colonists, and according to the old Etruscan rite drew imaginary horizontal and vertical lines with his staff athwart the face of the heavens. The *Agrimensor*, or surveyor, fixing his quadrant on the spot, divided the district by two broad paths, called the *cardo* and *decumanus*, the one from north to south, the other from west to east. He then proceeded to mark off the whole area by *limites*, or boundaries, into the required number of rectangular *centuriæ*, or plots of land. Each colonist received one or more of these plots according to his military rank. The whole territory however assigned as the *ager* of the colony was not in all cases exclusively given to the colonists; portions of it were reserved for the more favoured of the dispossessed natives. The polity of the Roman colony was formed not so much upon the model

of the parent city itself as according to the common type of Italian municipal organization. It consisted of a supreme magistracy of two Duumvirs, assisted by a senate, the members of which, one hundred in number, were styled (it is not well known why) Decurions. This administrative council was selected from the colonists alone, who constituted the ruling caste among the inhabitants. From hence all the chief local officers, the ædiles, quæstors, and quinquennales, or censors, were taken; it became, like the senate of the Roman commonwealth, a self-appointed order, and, with certain restrictions of age and fortune, was virtually hereditary. It was allowed to manage all the common affairs of the colony, but its proceedings were liable to be quashed by the emperor or by the governor of the province. Next to the senate ranked the order of the Augustales, whose functions were more limited, being, as we should say, parochial rather than municipal; and among them none was so popular as that of providing, after the manner of our churchwardens, for the due solemnization of the most national and universal worship of the period—that of the emperors themselves, whether dead or alive.

We learn from Tacitus that, besides the temple of Claudius, our colonists built a curia, or senate-house, for the meetings of their duumvirs and decurions; that they erected in their principal place a statue of the goddess Victory in allusion to the title of the colony —the Victorious; and that they provided for the common amusement by the construction of a theatre. In pursuing further the attempt to reconstruct the external features of the colony, it is right to warn the reader that what follows is conjectural. We are told

that the colony was founded at Camulodunum, and we suppose that it occupied the wide area of the ancient British Oppidum. It is natural to think that the public buildings would be from the first on the promontory subsequently surrounded by the walls which still exist. The temple and senate-house would form a centre, about which it would be natural that many of the colonists would group their houses. As for the houses, we have scores of ground-plans of Roman houses remaining in England to indicate their square plan and division into separate rooms; it is only necessary to add that most of these houses, especially in a district like this, destitute of building stone but abounding in timber, would have their foundations of rubble and concrete, and their upper works of wood. In Roman towns the streets were narrow and the houses contiguous, and it is likely that the colonists would to some extent adopt the same fashion. Tacitus expressly tells us that the colonists had neglected anything like fortifications, 'for they thought more of convenience than of safety.'

For eighteen years the south-eastern part of the country had been at peace. The whole of the island, south of the Wash and the Mersey and eastward of the Severn, had long been held by the Romans without disturbance; they had made roads, built post-stations, encouraged agriculture, and promoted civilization in the province and among their allies. Ostorius died, worn out with the toils and anxieties of the western campaign; Didius, who succeeded him A.D. 51, contented himself with retaining the existing possessions; Veranius, the successor of Didius A.D. 52, was prevented

by death from active measures. At length Suetonius Paullinus, one of the greatest generals of the time, A.D. 61, rekindled the war against Caractacus and the unconquered Britons, who had hitherto maintained themselves among the mountains of North Wales. The four legions which Aulus Plautius had brought over were still here, but were stationed on the frontiers of the conquered territory. The Second, commanded by Pænius Postumus, was charged, we may suppose, with the control of the south-western states, including Deheubarth or South Wales and Dumnonia, and would have its headquarters at Isca of the Silures (Caerleon), at Glevum (Gloucester), or at Corinium (Cirencester). The Fourteenth was engaged under the immediate command of the proprætor, Suetonius Paullinus, in the subjugation of Gwynedd or North Wales, where he had but lately destroyed the Druids in the Isle of Anglesea; the Ninth, under the command of Petilius Cerealis as Legate, seems to have been placed on guard over the Iceni, and in defence of their frontier against the Brigantes; while the Twentieth, if stationed as we may suppose at Deva (Chester), might furnish support to each of these bodies upon an emergency. The south-east of the country was entirely destitute of troops, except that the procurator, Catus Decianus, had under his orders a few hundreds scattered about the country in the service of the imperial revenue.

It was in this situation of things that the Britons made one last desperate effort to break off the Roman yoke. In the words of Dio, 'two cities were taken by assault, 90,000 men, Romans and allies, were massacred, and the isle escaped from the Roman domination.'

'A more active campaign,' says Tacitus, 'had never been known, nor was Britain at any time so fiercely disputed. Our veteran forces were put to the sword; our colonies lay smoking on the ground; and the legions were intercepted on their march. The struggle was then for life; we fought afterwards for fame and victory.'

While Suetonius was still in the west he received tidings of the sudden revolt of the province. Prasutagus, king of the Iceni, famous for his long prosperity, had made the emperor his heir along with his two daughters, under the impression that he would secure to his family the peaceful inheritance of one half of his property at the cost of the other half. But he died in the reign of Nero, when the bonds of discipline were relaxed, and distant officials could perpetrate excesses with hope of impunity. The kingdom and house of the dead king were seized and treated as if they were spoils of war. Boadicea, his widow, was scourged, her two daughters violated, his house plundered, and his relations made slaves. All the chief men of the Iceni were stripped of their ancestral possessions. Roused by these insults and by the dread of worse, the Iceni flew to arms and stirred to revolt the Trinobantes and others who, not yet cowed by slavery, had pined in secret to reclaim their freedom. It was against the veterans that their hatred was the most intense. For these new settlers in the colony of Camulodunum drove people out of their houses, ejected them from their farms, and treated them like captives and slaves. The temple, erected to the 'divine' Claudius, was ever before their eyes, a citadel, as it seemed, of perpetual tyranny (*quasi arx æternæ dominationis*); and those who were chosen as priests

had to squander their whole fortunes under the pretence of a religious ceremonial. It appeared to the Britons no difficult matter to destroy the colony, under the circumstances which Tacitus has recorded, of the entire absence of works of defence, and of a sufficient garrison. Dio tells us that one reason of the willingness of the other nations to espouse the quarrel of Boadicea and take part in a general revolt was the seizure of sums of money which had been given by Claudius to the principal inhabitants, and which Catus Decianus demanded back again. In addition to this, he says, the philosopher, Seneca, after having forced loans upon the chief Britons to the amount of 10,000,000 drachmas, at exorbitant interest, reclaimed his money as fast as it became due with such unrelenting cruelty that the distressed inhabitants were fired with indignation.

Strange portents foreshadowed the coming ruin. The statue of Victory at Camulodunum without any evident cause fell prostrate and turned its back to the enemy, as though it fled from them. Women, excited to frenzy, prophesied impending destruction; ravings in a strange tongue, it was said, were heard in the senate-house; the theatre resounded with wailings; the appearance of an overthrown town was seen in the estuary of the Thames; even the ocean was red as blood, and the ebbing tide left the likenesses of human forms; marvels interpreted by the Britons as encouraging, by the veterans as alarming. There was only a small military force in the place, and Suetonius was far away: the colonists therefore implored aid from the procurator Catus Decianus, but all he did was to send two hundred men without regular arms; and trusting to the protection

of the temple—hindered, too, by secret accomplices in the revolt, who embarrassed their plans—they constructed neither fosse nor rampart, and did not remove their old men and women to a place of safety. Surprised in the midst of their preparations, they were surrounded by an immense host of the barbarians, who carried the place at the first onset, and destroyed it with fire and sword. The temple, where the soldiers had sought refuge, was stormed after a two days' siege. Then the victorious enemy marched out and met Petilius Cerealis, commander of the Ninth legion, as he was coming to the rescue, routed his troops, and destroyed all his infantry. Cerealis escaped with some cavalry into his camp, and was saved by its fortifications. Alarmed by this disaster, and by the fury of the province which he had goaded into war by his rapacity, the procurator Catus crossed over into Gaul.

Suetonius however, with wonderful resolution, marched amidst a hostile population to Londinium, which was already a populous and prosperous town, much frequented by merchants and trading vessels. But determining to abandon it to its fate, he received into his army all who would go with him; while those who were chained to the spot by the weakness of their sex, the infirmity of age, or the attractions of the place, were left behind and fell victims to the fury of the enemy. Like ruin fell on the town of Verulamium, for the barbarians passed by the fortresses with military garrisons, and attacked whatever offered most wealth to the spoiler and was least capable of defence. About seventy thousand citizens and allies, it was said, were slain; for it was not on making prisoners and selling them that the enemy

was bent, but on slaughter, on the gibbet, the fire, and the cross, like men who, knowing that they would soon pay the penalty of their deeds, snatched at instant vengeance.

Suetonius had the Fourteenth legion, with the veterans of the Twentieth, and auxiliaries from the neighbourhood, to the number of about ten thousand armed men, when he encountered the enemy and was compelled to accept battle. He chose a position approached by a narrow defile and closed in at the rear by a forest, having first ascertained that there was not a soldier of the enemy anywhere except on his front, where an open plain extended without any danger of ambuscades. His legions were in close array, round them were the light-armed troops, and the cavalry was in dense array on the wings. On the other side, the array of the Britons, with its masses of infantry and cavalry, composed a vaster host than ever had assembled, and so fierce in spirit and so confident of victory were they that they had actually brought their wives to witness their triumph, in waggons which they had placed on the extreme border of the plain.

Boadicea, in a chariot with her daughters before her, drove up to tribe after tribe and animated their courage. Dio gives us a picture of Bunducca, as he calls her, drawn with a bold hand and a brush full of colour. He says she was of great height, striking figure, piercing glance, and harsh voice, with her thick yellow hair falling below her waist. Clad in a tunic of divers colours, with a great collar of gold, and a thick mantle clasped by a brooch, she stood in her chariot, holding a spear, and addressed her warriors.

Suetonius also made a speech to his troops; who received it with such enthusiasm that he at once gave the signal of battle.

At first the legion kept its position, clinging to the narrow defile as a defence. When they had exhausted their missiles, they rushed out in a wedge-like column into the masses of the enemy. The disciplined valour of the Roman soldiers won the victory. The very number of the Britons caused confusion and proved their ruin. The Romans avenged the slaughter of their comrades and allies by a general massacre; they did not spare the women; they slew the very beasts of burthen. It was estimated that 80,000 Britons were slain. The province was saved to the empire.

From the destruction of the Colony by the insurgents under Boadicea, history makes no further special mention of the place in all the subsequent centuries during which the island continued to be a Roman province. Londinium soon exceeded it as the great emporium of trade. York, as being nearer to the scene of the perpetual frontier war, became the military capital. When Colonia rose again out of its ashes, its remains prove that it grew into a large and prosperous town, the principal town of a fertile and thickly peopled district, for the county of Essex abounds in traces of Roman occupation. But this chapter of its history must be gathered by the archæologist out of the materials supplied by its existing remains.

## CHAPTER IV.

### THE RELICS OF COLONIA.

The site of Colonia; date of new town; walls; streets and gates; houses; pavements; absence of sculptured stone; possible use of cement—The roads and suburbs—The cemeteries: inscriptions.

WITHIN the triangle which has been assumed to be the ancient Oppidum of Camulodunum, at the north-east corner of it, fifteen miles from the mouth of the river Colne, at a point where the tide would still be full enough to float the ordinary vessels of burden of those times, the right or south bank of the river rises, not abruptly, but steeply, to a height of 100 feet above the level of the marshy valley; this bank is the edge of a tableland of considerable extent. Where the river first touches this higher ground, a dry ravine runs up from the river valley into the tableland, and cuts off a promontory of it. It was the point of this promontory which the builders of the new Colonia chose for their site. There is no evidence to show when the walls were built. There is no inscription stamped on the broad tiles, as in many places, to tell under what emperor or by what legion or cohort the work was executed; and we may perhaps infer from this that the fortifications were not built by legionary soldiers or auxiliary cohorts, but by the colonists themselves. For anything which appears, they

may be of any date from the year after Boadicea's insurrection to the end of the Roman occupation of the island. But it is natural to think that, when Boadicea's insurrection was suppressed and peace restored to the province, the houses of the colony would be rebuilt without much delay; and it is reasonable to suppose that, taught by recent experience, the new colonists would at once fortify their town against a similar misfortune. That they rebuilt partly on the old site is proved by the fact that the south wall was built over a ruined Roman house. Sepulchral remains also have been found here and there within the area of the walls; and notably a cinerary urn containing bones and a coin of Domitian, A.D. 96–98. If the laws of Rome forbidding intramural interments were strictly enforced in these provincial cities, this coin would indicate that the walls were not erected till after 96 A.D., that is, not for thirty-four years, at the earliest, after Boadicea's insurrection.

The existing remains of this Roman city have not perhaps excited the wide interest to which they are entitled, as by far the most perfect remains of the kind in the country. The walls of Exeter, Lincoln, and (perhaps) Chester are erected on Roman foundations and have some very slight remains of the original Roman masonry; but here the greater part of the circuit of the original walls remains to the average height of ten feet. A doubt has, indeed, been suggested whether a considerable portion of the existing wall may not be the rebuilding of a later period. A careful examination of the whole circuit of the wall leads to the conclusion that a large proportion of it is the original Roman work.

On three sides—east, west, and south—ten feet thick, and backed by a bank of earth, it would have required military engines such as were never used by Saxon or Dane to shatter its iron mass and make even a practicable breach. The south wall, which had no backing of earth, has great breaches, and the thinner parapet with which all the walls were crowned has almost entirely disappeared. It was here probably that the assaults of Saxon and Dane made the breaches which Eadward and his West-Saxon *fyrd* repaired in 921.

The plan of the town is an irregular parallelogram of about 1,000 yards from east to west, by a little more than half that measurement from north to south, the irregularities being due to the desire to adapt the defences to the peculiarities of the ground. The entire circuit of the walls is 3,100 yards, or a little more than a mile and three-quarters; and the enclosed area of the town is about 108½ acres. For the sake of comparison it may be convenient to state that the circuit of Roman towns in Britain is usually from 3,000 to 4,000 yards, that the walls of Chester are about two miles in circumference, those of Cirencester a little more, and those of Exeter 3,000 yards.

The town is not wholly placed on the highest available ground, but extends down the slopes of the promontory; indeed on the north side the wall is at the foot of the hill, where it rises abruptly out of the meadow; but what is now meadow, with the Colne flowing through it a hundred yards off, was then probably marsh, if indeed the river at high tide did not wash the foot of the wall. In building the three other walls the hill was scarped perpendicularly for about ten feet, and

PLAN OF

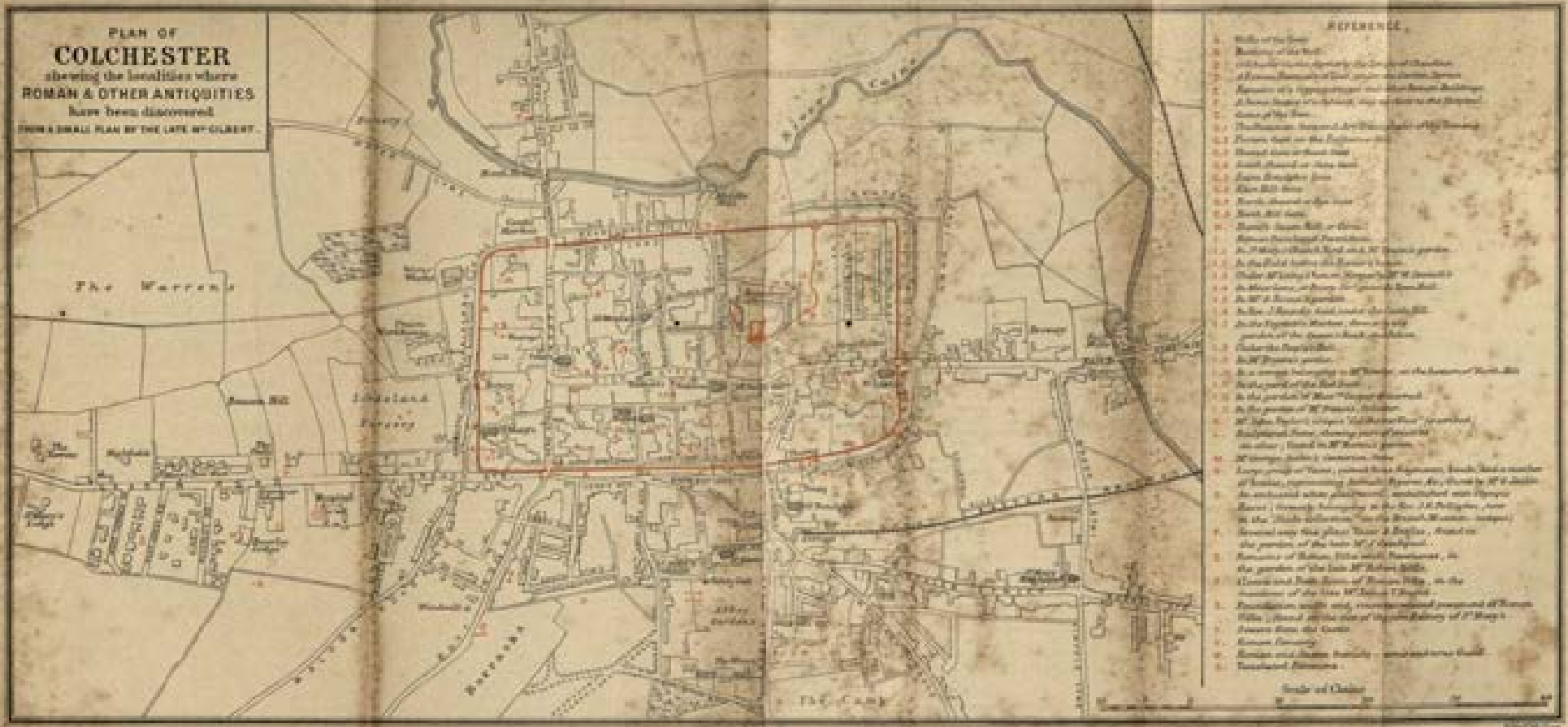
# COLCHESTER

shewing the localities where

ROMAN & OTHER ANTIQUITIES

have been discovered

FROM A SMALL PLAN BY THE LATE Mr GILBERT.


The Warrens
Lexden Park
Lexden Heath
Lexden Road
Lexden Hill
Lexden Farm
Lexden Wood
Lexden Park
Lexden Lodge
Lexden Cottage
Lexden Farm

faced with a wall about ten feet thick, and then the hill was again scarped to form a glacis and ditch. The walls were continued above for about five feet with a thinner parapet, which would be surmounted with the usual crenellations; giving the wall a total average height of twenty feet. It was further strengthened round its south-east corner with six projecting semicircular bastions, and its posterns were defended with square towers within the line of wall. The wall is built of four courses of chalky stones called *septaria*, obtained from the cliffs on the Essex coast, alternating with three courses of the large flat Roman bricks, bonded together with the usual imperishable Roman mortar, the heart of the wall being filled in with concrete. There are indications also of an earthen rampart forming an outer line of defence beyond the ditch.

The parallelogram thus enclosed was intersected by two principal streets, one from east to west through the middle of the town, which has always continued to be the principal street; while the transverse street crossed it at right angles, not in the middle, but considerably to the westward. These streets terminated in four gates; that on the west, towards Verulam and London, was clearly the principal gate, and we shall accordingly assign to it the name of the Prætorian Gate. From time immemorial it has been called the Balkan, or Balkern, a name for which no plausible derivation has been suggested; in mediæval documents we sometimes find it called Colkyng's (= King Coel's) Castle. It has—for it still exists—a central arch eleven feet wide, and two smaller side entrances, protected by a boldly projecting semicircular bastion, within which are two

guard-rooms. The eastern gate, which would be the Decuman Gate, was taken down in the last century; it consisted of a central and two smaller side arches, like the north gate of Lincoln, the only other existing Roman entrance to a town in England. The main southern entrance would be the *Porta Principalis Dextra*, which the Saxons translated into Heafod, or Head Gate, the name which the street still retains. It also was taken down in recent times, and its site is still indicated by a mark on the neighbouring house. The place of the northern entrance can be conjectured from the point where the line of Head Street intersects the northern wall, but it has long since disappeared, and left no memory behind. Besides these four principal gates there were several posterns, or minor entrances. The Rye Gate, which is sometimes spelt Rhee Gate, and in mediæval documents is sometimes called the North Sherd, is now only a breach through the wall, with no trace of its arch, or of any defence remaining; it has been used continuously down to modern times, for though the road through it has the disadvantage of crossing the river by a ford, yet near the ford from pre-Norman times has existed the Middle Mill, one of the three mills on which the Saxon burghers depended for their daily bread. There was also beyond question a postern on the south side of the town, near where St. Botolph's Priory was erected in the twelfth century. In excavations made in 1856, another, and till then unknown, postern was found in the north wall to the east of Rye Gate; the jambs of the gateway still remained, eleven feet apart, with the pavement between them, upon which lay segments of the fallen arch of brick. There were the

foundations of a square tower beside it projecting into the town. There is still another postern through the north wall in St. Mary's Churchyard, leading down a stone stair from the level of the town above into the street below; one jamb and the spring of the arch may still be traced. This postern also was defended by a square tower, projecting into the town. Since two posterns were thus defended, it is natural to conjecture that the others had a similar defence.

The remains thus described are so extensive that it is easy after an examination of them to realize in one's mind the external appearance of the new Colonia:—the low, monotonous walls, with their long-drawn lines of red brick and buff-coloured stone, deriving something of greater height and dignity from their rising from the edge of the scarped hill, and broken up into picturesque outline here and there, by the half-dozen projecting semicircular bastions of the south-eastern angle, by the square towers beside the postern gates rising a stage above the walls, and by the great bastion of the Prætorian Gate on the west front. The whole character of the defences was that of plain, stern, military strength. Even in the principal entrance there was none of the architectural design and sculptured ornament which were so often bestowed upon these town gates, as for example on the 'Porta Nigra' of Claudius's Gallic colony at Trier.

What we already know of the town gives us the main outlines of its internal plan: one long straight street from the Balkern Gate to the East Gate, another crossing it at right angles from Head Gate to North Gate, and other transverse streets from the posterns in the

north and south walls, running, we may assume, in straight lines to the main street. We know that Roman towns were usually divided into blocks, by narrow rectangular lanes. As in a camp the Prætorium, or general's quarter, was at the crossing of the two principal streets, so here we should expect to find the principal buildings of the Colonia—such as the forum and senate-house and temple—in a similar situation.

Sites of houses indicated by the tesselated pavements which formed their floors and passages, and the foundations of the walls which bounded them, have been frequently found when the earth has been disturbed to a sufficient depth. Thirty or forty such pavements have been noted within the last forty or fifty years. Most of these pavements are only of coarse plain red tesseræ, and are only interesting as marking the sites of Roman houses; the more ornamental are of the usual conventional patterns and colours; none of the higher class of design with mythological figures have been discovered here. These pavements are not at so great a depth as in London, Lincoln, and some other Roman towns, most of them being only two or three feet underground.

There are no traces to show where the principal places and public buildings—the forum, curia, temples, baths, theatres—were situated. No bases of columns have been found *in situ*, no 'drums' of columns, and no sculptured fragments of friezes; no remains, indeed, of any architectural character. These and other like architectural features very probably adorned the public buildings of Colonia; but it may be, that in a stoneless district like Essex, the Roman builders executed

their ornamental work in moulded cement, as is the case with some of the buildings of Pompeii.[1]

Of all kinds of relics of domestic appliances and personal ornaments Colchester has been for centuries a mine which is not yet exhausted. Excavations within the walls still bring to light a vast quantity of tiles, and fragments of pottery, specimens of the articles of domestic use and personal ornament usually found on Roman sites, and coins ranging from Agrippa to Valentinian. Very few articles of any kind remarkable for artistic excellence or costliness have been found. Public museums and private collections all over the country are enriched with the treasures discovered here; but five-and-thirty years ago the Corporation of Colchester, in alliance with the Essex Archæological Society, at length formed a museum for the preservation of its antiquities, which has already, after that in the British Museum, one of the most important Roman collections in England.

The conclusions to be drawn from a general consideration of these traces of the ancient city are in accordance with what we know of its history. Colonia was never like York, the seat of government, or even like Caerleon or Gloucester, the permanent headquarters of a legion; it never therefore contained the palaces of the governors of the province, nor of their great officials; nor did it contain the residences of the men of family and

[1] The great cylindrical columns of St. Botolph's Priory were undoubtedly finished with cement, and the rough projecting 'keys' round their summits indicate that their capitals were finished with ornament in the same material; a very unusual mode of treatment, for which the Norman architects may have found the suggestion, as they found their building material, in the Roman remains about them.

wealth who received their training for public life and won their way upwards to reputation by service in the army. Colonia was never a great centre of foreign commerce like London, or a pleasure city like Bath. The greatest men in the town were its Duumvirs, who were merely its own foremost citizens; and its condition was only that of a provincial town, the centre of the trade of a fertile and populous district.

The river Colne swept at some distance round the north and east sides of the town, and beyond the river the country was probably all wood, heath, and marsh. The open country lay on the south and west; the western extension of the table-land on which the town was built seems to have been the most pleasant and most frequented suburb. The principal roads out of the town were the great post roads, one westward branching at six miles distance to Londinium and to Verulamium, the other northward to the country of the Iceni; the short eastward road leading down the hill to the river and port, and the country road southward to Mersea Island.

The road from the Balkern Gate westward in the direction of Verulam was the principal road out of Colonia; at Mark's Tey the road towards London branched off from it at an angle. The discoveries of recent years have proved conclusively that the Roman road left the Balkern Gate nearly, but not quite, at right angles to the western wall, and for some considerable distance pursued a straight line. The deviation of the more modern road from the old line is due to the fact that from the earliest Saxon times to the present day the Balkern Gate has, for some unknown reason, been entirely disused, and the Head Gate adopted

as the principal entrance to the town from the west. On each side of this road for about a mile of its length was the earliest and principal cemetery of the town. There seems to have been a suburb between the road and the river; and a number of villas stood scattered about on this eastern side of the town.

The road from the East Gate gave access to the port, probably situated at the Old Hythe, which is still a hamlet in the parish of St. Giles. It is reasonable to suppose that the port would form a suburb and would have some defensive works, but there is no record of any discovery of Roman remains here. There is no evidence that the road extended beyond the port and continued on the other side of the river. The greater part of the peninsula east of Colchester is destitute of the Roman remains scattered over the rest of the county, and it is probable that in Roman times it was for the most part a wilderness of forest, waste, and marsh.

The road proceeding from the North Gate was probably the next in importance to the western road; for, assuming that the eastern road ended at the port, this would be the road which, crossing the marshy valley of the Colne by a causeway and bridge, and again crossing the Stour at Stratford St. Mary's, ran through the country of the Iceni to Sitomagus and Venta Icenorum. The ancient north road probably ran somewhere near the present line; and it seems probable that there was a cemetery along the sides of it; for funereal deposits have been found at several intervals along the line. Milend Parish no doubt takes its name from the first milestone out of the town on the north road.

From the principal Gate on the south a road may

be traced, directed southwards towards Mersea Island, on the Essex coast, where the remains of a considerable villa have been found. A great number of interments have been found in Butt Lane, on the west side of this ancient road, which indicate the probable existence of a cemetery on this side of the town also, extending along the line of road.

If the almost unbroken circuit of its Roman wall is the most important historical monument of Colonia, the great cemetery which lies on each side of its principal road is of hardly less interest and archæological value. It has for many years past been explored with skill; the circumstances of the discoveries have been carefully noted and recorded; drawings made of the objects *in situ*; and, finally, the objects themselves, kept in their original groups, are preserved in the town museum and in a private collection hardly inferior in importance; and the two museums together form a collection illustrative of Roman sepulchral customs which is unique in England, and, probably, unrivalled north of the Alps.

The cemetery extended along both sides of the London road to a breadth which has not been exactly ascertained, but the greater the distance from the road the less thickly placed are the deposits. On this side of the town, under two feet of loamy soil, lies a bed of gravel: the sepulchral deposits stand upon this gravel; the light covering of soil has protected them, while it has not been heavy enough to injure them; and the result is that they are exhumed as perfect as on the day of their burial. In depositing them, a small square excavation was made, and in the great majority of examples the sepulchral vessels were laid on the surface of the

gravel, and the soil was filled in again. In many cases, however, some artificial protection was given; two large tiles were reared against one another to form a kind of roof, or two tiles were reared up at the ends of a little grave, to support another tile which protected the deposit; in one case a little chamber was built to contain some beautiful vessels of glass, and then filled in with fine sand; in some cases wooden coffers, secured with locks, seem to have been used to contain the usual group of vessels; the ashes of the centurion M. Favonius were contained in a plain cylindrical leaden cist with a leaden cover. In some of the graves there was a single earthen urn, containing the ashes of the deceased; but usually there are other vessels along with it, varying in number from one to fifteen or sixteen, which have probably contained salt, wine, unguents, and articles of personal adornment. One remarkable group contained in a cist of tiles consisted of thirty-seven articles, including glass, Samian and other pottery, together with thirteen little grotesque human and animal figures in glazed yellow clay of good art, portions of carved bone, and thirty-six middle-brass coins: of these twelve were of Agrippa and the remainder of Claudius, which had been little if at all in circulation, seeming to mark the grave as being of so early a period as that of the conqueror of Camulodunum and the founder of Colonia.

While the majority of these vessels were cheap earthenware of various fabric, some of them were of bright red Samian ware with raised patterns; some of 'Caistor ware,' and one of these, with an inscription etched upon it, is of great rarity and interest. The

solitary cup found with the leaden cist of the centurion M. Favonius, of delicate pearl-grey earthenware, as thin as the finest porcelain, is perhaps unique. Some of the glass vessels are rare and beautiful. Few objects of high artistic interest have, however, been found.

Probably much of this pottery was made on the spot; but it is impossible to speak of this with certainty. It is curious that all Roman pottery, wherever found throughout the world, is of the same patterns, and looks as if made of the same clays; so that no local peculiarities enable us to say this was made at Colchester and this was not. But two sets of potters' kilns have been found here, one near the Hospital, another near the river at Lexden.

Some interments in lead coffins, all of usual patterns, have been found in this cemetery; they are of special interest, because these burials of the unmutilated body may be indications of a Christian element in the population of the colony.

Some of these graves had originally a memorial aboveground to mark the place of burial, and to perpetuate the memory of the deceased; but of these not half a dozen have survived the accidents of fifteen centuries; by far the most valuable of them is a slab of stone sculptured in high relief, with an effigy of a Roman centurion, well executed and in good preservation; with an inscription which may be read thus:—

M(ARCUS) FAVON(IUS) M(ARCI) F(ILIUS) POL(LIA) FACILIS, CENTURIO LEG(IONIS) VICESIMÆ. VERECUNDUS ET NOVICIUS LIB(ERTI) POSUERUNT. H(IC) S(ITUS) E(ST).

*Marcus Favonius Facilis, son of Marcus of the tribe of Pollia, a centurion of the 20th Legion. Verecundus and Novicius, his freedmen, placed this. He lies here.*

There are only two other monumental inscriptions. In building the Hospital a monumental slab was discovered, with an inscription which is only partly legible; so far as it has been deciphered it runs:—

'CENTURIO LEGIONIS III AUGUSTÆ CENTURIO LEGIONIS VALERIÆ VICTRICIS ORIUNDUS NICÆA IN BITHYNIA, MILITAVIT ANNOS . . . VIXIT ANNOS . . .'

It was that of a nameless *Centurion of the 3rd Augustan Legion, and the Centurion of the Valerian Victorious Legion* (which was the 20th), *who was a native of Nicæa in Bithynia.*

The inscription on another monumental stone found here was as follows:—

CONSIDIA VENEREA, FILIA, VIXIT ANNOS III DIS XXX.
CONSIDIA NATALIS, MATER, VIXIT ANNOS XXXV.

*Considia Venerea, the daughter, lived* 3 *years and* 30 *days.*
*Considia Natalis, the mother, lived* 35 *years.*

These are all the sepulchral inscriptions in stone which have been recorded. We may add to them the laconic and expressive epitaph, scratched with a sharp point on a cinerary urn—FUISTI—which may be compared with the not uncommon Roman epitaph *Vixi.* The coins found in this cemetery are not numerous, and extend from Agrippa to Hadrian. None of the lamps are later than Hadrian. No skeletons have been found, as is usually the case in Roman cemeteries of a later date, and no weapons to suggest an admixture of Teutonic remains. Everything indicates the early date of the deposits.

Another cemetery of later date has been observed

at Mill Place, Butt Lane, a little distance south-west from Head Gate, and not far from the old Roman road which ran to Mersea Island. There were found here deposits of cinerary urns with accompanying vessels and articles of the usual character; two Roman lead coffins of the usual pattern were also found. But the most remarkable feature of the discovery was that a great number of unburnt bodies had been buried here apparently in coffins of hollowed trunks, or at least of very massive slabs of wood, fastened by very large nails. Some skeletons were accompanied by an urn which, however, did not contain calcined bones; with others were iron keys, arrow-heads, spear-heads, bronze and glass vessels, bracelets, bone pins, metal brooches, bracelets in Kimmeridge shale, and various other ornaments, such as are usually found in Roman burial-grounds. The coins found here were all of late date, chiefly of the family of Constantine.

The only other Roman object of special interest which it seems worth while to mention here is an altar, found in 1881 in the Balkern Lane, which was outside the ditch of the western wall of the city, with an inscription—

MATRIBVS SVLEVIS SIMILIS ATTI F CI CANT V. L. S.

which may be translated as a dedication to the *Mothers* the *Sulevæ*, by *Similis* the *son of Attus* or *Attius*, a *civis* or citizen attached to the *civitas Cantiorum*. This is but the second inscription which has been found in Britain as a dedication to the *Matres Sulevæ*, the mother goddesses whose cult, very widely extending over the heathen world, and surviving down into the middle

ages, is a subject of great interest, which this is not the place to discuss.

Two maps illustrate this description of the town and its neighbourhood. The first contains the whole area of the Borough and Liberties, which is assumed to be co-extensive with the British Oppidum of Camulodunum and with the Roman Colonia. The ascertained ancient roads and earthworks are traced in red; and the situation of many of the more important discoveries of ancient relics is marked in red letters, which correspond with a description in the margin.

The second map gives the Borough on a larger scale, with its Roman walls, and its principal streets and public buildings; here also the ancient features, and sites of discoveries of ancient relics, are indicated in red.

## CHAPTER V.

### BRITISH CHRISTIANITY.

**The Adelfius of the Council at Arles not Bishop of Colonia Camulodunum—No traces of Christianity except a bone pin, and crosses scratched on vases—The Coel and Helena legend.**

WE mention the Christianity of the town only to say that general history knows nothing of it, and that local research throws no light upon it.

There are a number of highly respectable authorities in favour of the opinion that the Adelfius who signed the Acts of the Council of Arles among the British bishops present there was bishop of Colchester. But the majority of those who have no local predilections to bias their judgment in favour of Colchester give the preference to the reading *Colonia Legionensium*, *i.e.* Caerleon. This reading would make the three British bishops present at Arles the bishops of the principal cities of the three provinces into which Roman Britain was then divided, and would give them according to the civil, and therefore ecclestiastical, rank which their towns then held; first York, next London, and third Caerleon. Besides, in all history there is nothing to show that Colchester was the see of a bishop, however probable this may be. And the legendary story of the town is equally silent; it does not even say that Constan-

tius was baptized by the bishop of Colchester before he was married. It is perplexing that so few traces of Christianity are to be found among the Roman remains throughout the kingdom, and it is in the light of this general fact that we must reason upon the particular fact that among all the vast mass of Roman antiquities found at Colchester, so very few traces of Christian influence occur. It should, at the same time, however, be borne in mind that of the classical religions and possible native cults which existed here for four centuries, the only relic known besides half a dozen small statuettes of Jupiter, Mercury, and perhaps Venus, is the altar of the Matres Sulevæ noticed at the end of the preceding chapter.

Circular ornaments have been found here with a cruciform design upon them which may be Christian; but the quadrantal division of the circle as the basis of an ornamental design is so natural that it is common in non-Christian work, and I do not claim these things as even probably (though they are possibly) Christian. The solitary personal ornament, with a design which I venture to think was intended as a Christian symbol, is one out of hundreds of bone pins found in the Butt Lane cemetery, mentioned in the preceding chapter. Most of these pins, four to six inches long, have plain round heads, many have the heads cut into hexagonal and other forms, which an ingenious designer can make out of a form originally globular, but one of them has its head formed out of a longer and broader piece of material than any of the others, into a plain Latin cross with bevelled edges. The cruciform head is clearly not one accidental design among the others; it entirely

differs from all the others, and I think that it was deliberately made with a symbolical intention.

This is a convenient place for saying a few words on the myth of Coel, Helena, and Constantine which has entered into the beliefs of the people of Colchester from a very early period, and which is so mixed up with the mediæval history of the town that it ought not to be passed over in silence. We find it in the British History of Geoffrey of Monmouth,[1] whose authorities, looking at the history of the Roman Empire from their British standpoint, naturally regard Carausius as a Briton who threw off the Roman yoke and made himself king of Britain. Allectus, says Geoffrey, sent by the Senate, killed Carausius and restored the authority of Rome. Asclepiodotus, duke of Cornwall, rose against him, defeated and killed him, and made himself king. Coel, duke of Kaercolvin, or Colchester, rebelled against Asclepiodotus, and seized the kingdom. Constantius was sent to recover it again to the Roman authority. Coel offered submission on condition that he should still enjoy the kingdom and pay no more than the usual tribute. Constantius consented to this. Coel died of sickness a month later; he had no son, and Constantius was crowned, and married the daughter of Coel, who was called Helena. She surpassed all the ladies of the country in beauty, as she did all others of the time in music and the liberal arts. Constantine the Great was the fruit of their marriage. After eleven years Constantius died at York and bestowed the kingdom upon his son.

The chronicle of St. John's Abbey gives a different

[1] Bk. v. ch. 6.

version of the story. According to this authority Constantius besieged Colchester for three years, and then only obtained possession of it by a treaty, one article of which was the marriage of the Roman Cæsar with the daughter of the British king, of which happy marriage Constantine the Great was born at Colchester.

York, where Constantius died and Constantine was elected to the purple, has also its legend boasting Helena as a Brigantine princess, and claiming for itself the honour of the birthplace of Constantine. Similar legends connect Helena and Constantine with Trier.

All these versions of the legend are unhistorical. Helena was a native of Naissus, a town of Mœsia, of humble parentage; Constantine was born before Constantius set foot in Britain, and never saw the island till, at the age of thirty, he fled from the court of Galerius and arrived in Britain just in time to witness his father's death.

The origin of the legend is probably to be attributed to the strong tendency of the imagination to invent histories for remarkable places, to claim a local interest in great personages, and to weave the dim and disconnected facts of the past into a connected and romantic story. The story certainly existed here as a local legend before the Norman Conquest; for we find a chapel dedicated to St. Helen, which probably existed before that period, and a local version of the legend in the chronicle of the foundation of the Norman abbey; and it is impossible to suppose that the myth was imported by the Normans. But it was natural enough that the Saxon burgesses should connect with the massive wall and ruined buildings of the ancient city amidst which they lived all their

vague reminiscences of the races which had preceded them. They vaguely knew that it had been the royal town of British kings, and that it had been taken by a Roman emperor. They wanted a name for the British king, and they took it from the name of the place, Col-chester, the castle of King Coel. Constantine the Great was the typical Roman emperor, and Constantine's mother was well known to have been Helena, the discoverer of the true cross. It needed but little of the spirit of historical romance to weave out of these materials a story which should shed lustre upon their town. The story once current, all the prominent features of the place would naturally be connected with it by the popular imagination. It was Helen who adorned her native city with its massive walls; the tower which defended the disused western gate was Kolkynge's Castle; the principal well in the middle of the town was King Coel's pump—perhaps, like some wells which have recently been discovered, it may have been lined with ancient masonry, and thus have appealed to the imagination as one of the great works of the mythic time; an excavation at Lexden (which some have thought may have been the theatre of Colonia) was King Coel's kitchen; and the castle was built on the site of King Coel's palace. His name is popularized in a song which is not more unworthy of the historic Muse than that in which the memory of 'Good King Dagobert' still lives on the lips of our Gallic neighbours. Then in later times, when Christian sentiment has refined and elevated the popular imagination, Helena becomes more prominent in the story. She is adopted as the patron saint of the town. A

chapel is dedicated to her. The arms of the town, a cross ragulée with three crowns, show that the burghers consider that to have been the birthplace of the pious empress was one of the greatest distinctions of their ancient city. Statues of the Imperial patrons were placed over the East Gate, and the initial letter of their charter of Henry V. is illuminated with a picture of the empress-saint holding the cross, with the great emperor standing beside her.

## CHAPTER VI.

### COLNECEASTER.

No history of the East Saxon conquest—Problem of the fate of the Britons; of the towns; of Colonia—Colneceaster—The Danish occupation; the recovery of Colchester from the Danes by the Saxon men of the neighbouring country—Eadward visits and repairs it in 920—Witenagemót held here in 931.

THERE is not a line of history, not a legend, nor a fragment of ancient song to hint to us the story of the Saxons who came up the Thames, the Blackwater, the Crouch, the Colne, and the Stour, conquered the country between Thames and Stour, flowed round London, and founded the kingdom of the East Saxons, with a tribal division into East Saxons and Middle Saxons. We have, indeed, two lists of names of East Saxon princes, and those apparently inconsistent. Henry of Huntingdon makes Æscwine the first founder of the East Saxon settlements, while Florence of Worcester and William of Malmesbury speak of his remote descendant Sleda as the first East Saxon king. The story of the growth of Essex is doubtless much the same as the story of the growth of East Anglia, and as that of the two Northumbrian kingdoms. Several scattered Teutonic settlements were gradually united under a more powerful chief; he then deemed himself great enough, as the

head of a nation, and no longer the head of a mere tribe, to take upon himself the kingly title. Such was Ida in Bernicia, such we may believe was Sleda in Essex.

One of the most obscure questions in English history concerns the fate of the British population generally during this period of Saxon conquest, and particularly the fate of the towns. On the other side of the Channel, the Frank invaders of Gaul settled down thinly among the Romanized population of the country districts, and left the towns unmolested to the enjoyment of their own laws, administered by their own magistrates, while the interests of the king of the Franks in them were represented by counts, who exercised an undefined authority, in a more or less considerate or arbitrary manner, according to the individual and the circumstances. On this side of the Channel, the general features of the barbarian settlement seem to have been widely different. In some of the wilder parts of the country, which offered the difficult retreats of forest, or mountain, or fen, the native population seems to have been able to hold its ground, and to have been gradually absorbed and merged in the surrounding Teutonic kingdom. In the more open parts of the country it would seem that the native landowners were universally dispossessed, the lower class of the people greatly diminished by slaughter or flight, and the remnant reduced to the condition of slaves or absorbed in the general population.

The question of the fate of the towns is still more difficult. We should certainly have expected that a populous walled town, accustomed to the orderly discipline and self-reliance of municipal government, would, at least in some cases, have been able to hold its own

against the bands of adventurers by whom large parts of the country were seized and settled, and to secure terms of capitulation. Even where a more formidable host, under some powerful chief, had succeeded in storming one of these towns, one would have expected that, after the horrible scene of carnage and plunder, the chief would have seen the policy of restoring order and leaving the community to revive its prosperity, if only as a subject of future toll and tribute. In some of the western counties which the wave of conquest did not reach till the conquerors had been Christianized, some of the British landowners were able to keep their own, and some of the towns were not attacked, but passed together with the surrounding country under the rule of the conquering race, by a process of gradual encroachment, long after the war of the conquest; all the rest of the towns of the conquered province seem, with perhaps one or two exceptions, to have been taken, sacked, burnt, and left waste and without inhabitants.

One of the features of the historical interest of Colchester is that, of all the towns of that part of Britain which was conquered while the invaders were heathen, there was none more likely than Colchester to have been continuously inhabited by Britons, Romans, and Englishmen.

We may reasonably conjecture that the bands of pirates who invaded this part of the country sailed up the Colne until at its highest tidal point they saw the walls of Colonia frowning upon them from its high banks, that they landed, carried the town by assault, slew and plundered, and sailed back with their booty to their Saxon homes. Then in a second expedition, next year

or some years after, they, or some of their countrymen, brought wives and families with them, with the intention of settling on the land whose fertility and defencelessness they had discovered. The villages of Fingeringhoe, Brightlingsea, and Frating still bear the names of the Saxon families who settled and organized their townships there, while the Tendrings were important enough to give their name to the Hundred. One of these groups of immigrants pursued their way up the river, till they came to the point where the fertile lands of Colonia tempted them to land and make their home there.

The ancient boundaries of Camulodunum, the Colne, the Roman River, and the great rampart, enclosed a considerable district of land long since cleared and made fertile. The new-comers appropriated it, and proceeded to divide it among themselves, after the manner of their ancient customs. It could not have long lain waste; for when the Saxons came to colonize it, its Roman name had not been forgotten, as in a score of cases of Saxon towns on Roman sites; they knew it as Colonia-ceaster, the Colonia fortress, and only slightly abbreviated it into Colne-ceaster; as Othona, at the mouth of the Crouch, became Ythan-ceaster. They probably did not take possession of abodes within the protection of its walls; they 'abhorred walled towns, as the defences of slavery and the graves of freedom,' and built their timber houses in the open fields. If any survivors of the British population still lingered among the ruins, and did not flee before this new invasion, they were probably appropriated, together with the lands. A few of the new settlers, perhaps, to whom the lot had assigned some part of the hundred acres within the

walls may have built their houses there from the first. But we may conjecture that it was only when the Saxons found themselves liable to the incursions of the Danes and Northmen that they began to value the security which the ancient walls afforded.

When in the ninth century the Northmen broke into England and repeated here the horrors of the earlier conquest, Essex, adjoining as it did the Danish possession of East Anglia, fell early and completely under their power. The Danes, unlike the Saxons, appreciated the importance of the towns, and seized and occupied them as the military strongholds and political centres of the surrounding country; and their organization took the shape of confederations of groups of towns; the five boroughs of Derby, Lincoln, Leicester, Stamford, and Nottingham held part of the ancient kingdom of Mercia in subjection; the three boroughs of Bedford, Huntingdon, and Northampton formed another confederate group; and in Essex, Colchester and Maldon seem to have been the chief seats of the Danish power. We have no history of the Danish conquest of Essex. It is only in the course of the reconquest of the Danelaw by the son and daughter of Ælfred that we find any details of what took place here, and Colchester supplies one of the latest incidents of the history. In 912 Eadward took possession of London, and in the following year he went with some of his forces to Maldon, and encamped there while fortresses were being built at Hertford and Witham. Again in 920 the king went to Maldon, and built the town and fortified it before he departed thence; which seems to indicate a reconquest from the Danes of the south part

of Essex. In the following year there was fighting in many parts of the east of England. The Danes were trying to regain possession of towns from which they had been driven out, and the English on the other hand were trying to capture the fortresses which the Danes still held among them. We have in Essex an example of each of these contests. Colchester was rescued from the Danes, not by the king and host, but by a general rising of the people round about. 'Much people,' says the English chronicle, 'drew together during harvest, from Kent and Surrey and Essex and from each of the nearest towns, and went to Colchester, and beset it, and fought against it, until they mastered it, and slew all the people therewithin, and took all that was there except the men who fled away over the wall.' Maldon on the other hand was at the same time attacked by the Danes, but resisted their assault. During the same harvest a large army of the Danes of East Anglia, reinforced by an army of pirates whom they had invited to their assistance, laid siege to Maldon, but the town resisted them, and the neighbouring country rose to help the town, and the Danes raised the siege and marched away; but the townsmen sallied out, and, joining the force which had come to the rescue, marched after the Danes and defeated them with great slaughter.

A few weeks afterwards King Eadward came with his West Saxon army to Colchester, and repaired the town, and rebuilt it where it had been broken down; and much people submitted to him who before were under the dominion of the Danes. These two sieges have more than a local interest; they were the concluding incidents of the reconquest of the land by the

children of Ælfred; the remainder of the history is a record of the successive surrender of the Danish towns, and of the erection of fortresses and planting of garrisons to curb their power. It is remarkable how few relics of this period have been discovered here; a couple of large bronze fibulæ (of the type usually assigned to the Angles), a couple of earthenware vessels, a few rusted implements of iron, and a few small coins, are all the Colchester Anglo-Saxon antiquities which are known.

## CHAPTER VII.

### THE SAXON BURGH.

The *Domesday* Survey of Colchester—Limits of the *civitas* of Colchester—Godric's land; the king's burgesses; Norman landowners; the king's demesne; the king's meadow; the *Communis Burgensium*; the eight perches round the walls—The composition for military service—The mint—The churches—The peculiar jurisdictions—General conclusions.

THE Domesday Survey of Colchester is unusually full and definite, and affords a very complete account of the inhabitants of the place and their condition just before and just after the Norman conquest. In the course of the description three different terms are applied to the places whose meaning it is necessary first to determine. The Record begins 'Hundred of Colecastria.' The word *hundred*, originally the hundred fighting men who formed a subdivision of the national *fyrd*, or militia, was also applied to these men in their civil character of neighbouring freeholders, who were united by mutual duties and responsibilities into a community which held its regular meetings and had its necessary officials for the transaction of its affairs. Certain towns were reckoned for purposes of jurisdiction and taxation as hundreds and half-hundreds; thus Ipswich was reckoned as a half-hundred, and Colchester as a hundred.

The word *civitas*, which occurs several times in the Colchester Survey, is used with a very unusual meaning. It does not mean the town with its Roman walls. *Ceaster* was the name which the English gave to the fortified Roman towns which they repeopled, and our town is *Colneceaster*. It is clear from the context that the word *civitas* is applied here to the territorial district which was coextensive with the hundred. This district was the area included within the Colne and the Roman River on the north, east, and south, while the western boundary was in dispute. This is the area, taking Gryme's Dyke as its proper western boundary, which I suppose to have formed the Oppidum of Camulodunum, to have been appropriated as the *ager* of the Colonia, and to have been seized by the Saxon settlers who formed the Hundred of Colneceaster. But the *civitas* included also the district of Greenstead, which lay beyond the Colne on the east of the town. Greenstead stood on a different footing from the rest of the *civitas*. It had been held by one man and was not divided into a number of small holdings, occupied by different burgesses, like the rest of the *civitas*, and it had been free from the rent to the crown which the rest of the area of the *civitas* paid. It may be concluded that these two portions of the territory of the *civitas* had different histories. If the area between the rivers and the rampart were, as I conjecture, the original area of Camulodunum, and of Colonia, which was divided among the first freemen of Colchester, and if the chief who had led these freemen to their new settlement had taken his share on the western side of this area, and had soon after gained an additional estate outside the

ancient colony on the east, that might account for the facts disclosed in the Domesday Survey.

The third term in the survey which seems to need a special note is *Burh*, which is applied to the space within the town walls. The western boundary of the *civitas* was in dispute at the time of the survey. The burgesses claimed as liable to pay dues and scot to Colchester five hides of Lexden, which formerly belonged to Godric, but which since the time of King Eadward had been reckoned as part of the manor of Stanway. On looking at the survey of Stanway, it is seen that it claimed 'the berewica which is called Lexden of four hides;' and that the manor had increased fifty per cent. in value since the time of King Eadward, and the entry under Lexden records 'xvi. socmen, and xi. hides, and xxxvi. acris.' The explanation is that Stanway had been one of the estates of Harold which passed over to William; and it would seem that the king's reeve of Stanway had pushed the boundary of the manor too far eastward and encroached upon the civitas of Colchester, absorbing the five hides which formed part of Godric's land, and converting the men who lived on them from burgesses of Colchester to socmen of the manor of Stanway.

The first person to whom the Survey introduces us is this Godric, who in the time of King Eadward was the great man of the place, and no doubt held the rank of thegn. In the West Donyland survey he is called 'Godric of Colchester.' In Colchester he possessed 4 *mansiones* (=manors), and a church and four hides in Greenstead; and in this Greenstead estate were 24 acres of meadow and marsh, and a mill. The four manors in Colchester I suppose were at Lexden, and are

those spoken of above. On Godric's death his sons had divided the land into four parts; but at the Conquest they had shared the fate of all the great Essex landowners, except two; they had been dispossessed, and their lands had been seized by the Conqueror. The king himself had retained two parts of their lands, with their homesteads and labourers, and the two houses in the town which belonged to the estate, and half the rights and profits of the mill. The two other parts he had granted away: one to Count Eustace of Boulogne, including the church, which is proved by documents of later date to have been the hamlet church of Greenstead; the king had given the other part to John, the son of Waleran. We shall find subsequently that Eustace, being concerned in Bishop Odo's rebellion against William II. in 1088 A.D., was deprived of his fiefs, and his forfeited estate in Colchester came into the possession of Eudo. Eustace and John son of Waleran shared the rights and profits of the mill with the king, each of the former having one quarter. This Waleran appears again later, in the financial part of the Survey, and we gather from the entry there that he had been either the custos of the king's manor of Colchester, or the agent of the bishop of London while farming Colchester from the king. The Survey supplies us with a census, not far from complete, of the inhabitants of the Hundred, i.e. of the borough and its dependent liberties. First comes the list of the king's burgesses: 'Colman holds one house and five acres; Lewin two houses and twenty-five acres,' and so on. There are 276 of them; and what strikes us first of all in reading it is what a goodly list of English names it is. Godwines and Godrics and Godas,

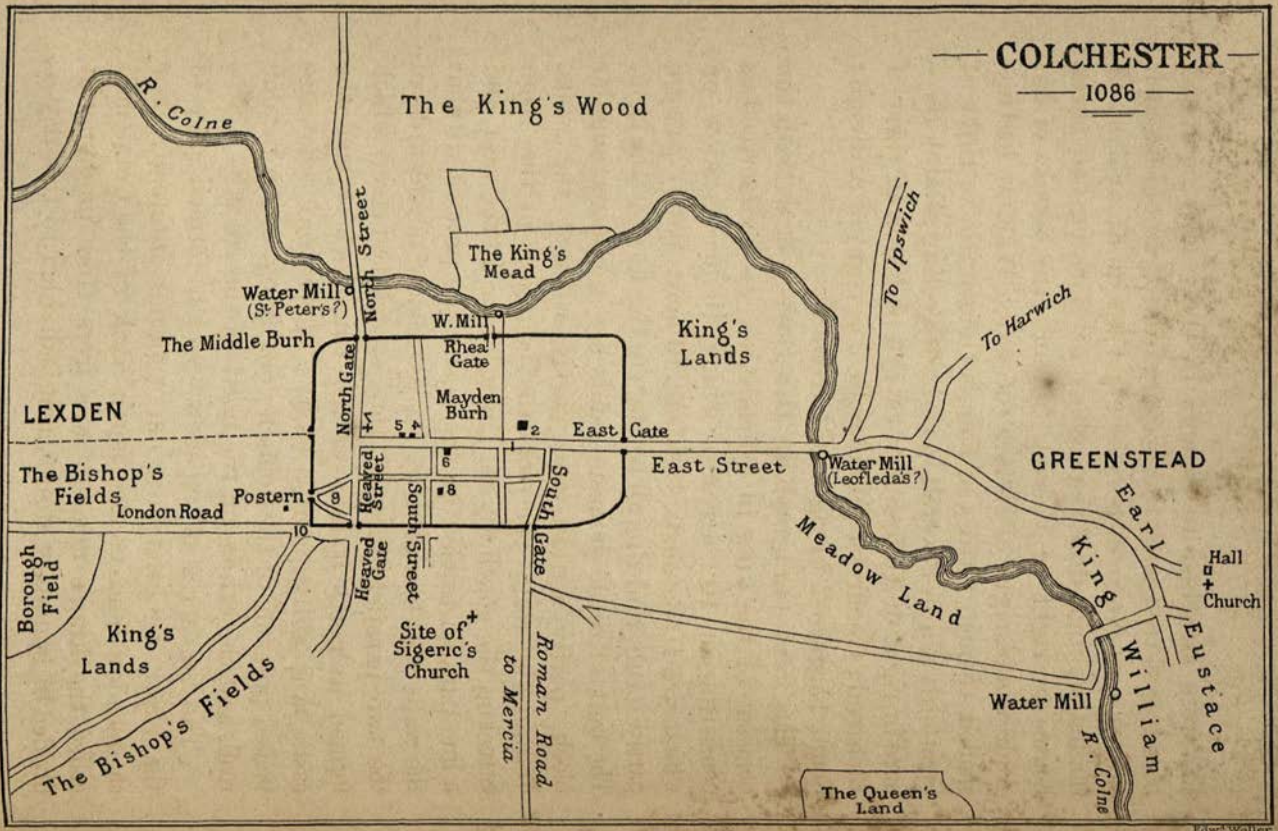
and Alwins and Ulwins and Alurics, and Alwards and Siwards, with some curious names like Sprot and Not and Pic and Best and Pote and Tate and Scadebutre. There are exceptions: Hacon, Tovy, Osgood, and Segrim tell of Scandinavian descent; Rossel and Duttel and Walter must be names of followers of the Conqueror from beyond the Channel. Two Normans with singular names—Dimidius Blancus (Half White) and Willelmus Peccatum (William Sin)—also appear as sub-tenants of lands elsewhere in the county. The fact that the burgesses of Colchester should have remained thus undisturbed, while all the landowners of the county except two were dispossessed, is remarkable. The explanation of it probably is the fact which appears in the sequel of the document, that before the coming of William the burgesses had been allowed to make a money composition for military service in the *fyrd* (or militia); for while in many towns Domesday records the number of men which the town was to find when the king made an expedition by sea or land, we find that at Colchester a payment of sixpence was made from each house for the keep of the king's *soldarii* or mercenaries. So the burgesses did not appear in arms against the Conqueror, and were consequently neither slain in battle nor dispossessed by confiscation; and when the king's rights over them were transferred to William, they came under his protection.

Of these 276 burgesses of the king, the majority have one house and a plot of land of from one to twenty-five acres; some possess more than one house, and some have none; they had in all 355 houses, and held 1296 acres of land. It is to be carefully borne

in mind that these burgesses did not all live in the burgh, but in the larger area of the *civitas*, or rather in certain parts of it; they did not occupy the four hides of Godric in Greenstead, or the king's lands, or the common lands, but were scattered over the rest of the area in unequal holdings, several of them as large as twenty to thirty acres. The wealthiest of these king's burgesses is Leofleda, with her three houses, twenty-five acres, and a mill, probably the lower mill near the Hythe.

Two have the affix *consilio* to their names. 'Lewin one house and ten acres, *Consilio*; Godwine eleven houses and twenty-one acres, *Consilio*.' There is also an Ulwine, described as the *monitor* or crier, the only bearer of that venerable office recorded in Domesday.

Having disposed of the king's burgesses the Survey goes on to other owners. Hamo Dapifer had one house, one 'curia,' and fifteen burgesses, which belonged to Thurbern in King Eadward's time. This *curia* was not a residential hall but the court of a manor, of which the fifteen burgesses were the freemen. So that Thurbern must have been a *thegn*, and after Godric the most important man in Colchester. Eudo Dapifer had five houses, forty acres, and the fourth part of St. Peter's Church; Earl Eustace had twelve houses; William, the bishop's nephew, two houses; and a number of other proprietors with Norman names had houses and acres, which may perhaps be accounted for in this way, that already in those early days the great landowners had found it convenient to have a house in the principal towns of the shires in which their estates lay. Some of the houses under considera-

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tion were attached to manors in the county, and had been transferred with the manors from their old English to their new Norman possessors; thus on an analysis of the list we find that the abbess of Barking had three houses in right of Feering Manor; the monks of St. Andrew's in right of Mersea (of which Waleran had despoiled them); Otto, the King's Goldsmith, in right of Stratford; Ralph Peverell in right of Terling; Ralph Baynard in right of Tolleshunt; Sweyn of Essex in right of Elmstead; Geoffrey of Mandeville 2 in right of Ardleigh; Count Eustace 2 in right of Rivenhall.

The next paragraph in the Survey deals with the demesne of the king in Colchester. It is described as consisting of 102 acres, of which 10 are meadow, on which are 10 *bordarii*, besides 240 acres partly pasture partly scrub, and this all belongs to the ferm of the king. The bulk of these demesne lands lay in one rectangular block, partly within and partly without the walls. Within the walls the plot was bounded by the High Street on the south, by St. Helen's lane on the west, and a line parallel to this on the east; the portion without the walls was bounded by an extension northwards of the two parallel lines till they struck the river, which formed its north boundary. On this block of land the castle was subsequently built. There were some detached portions of the domain; one lying on the Lexden road, and the others on the north of the river.

The 'x. acres of meadow' which formed part of the royal demesne have an especial interest. For the meadow-land on the north bank of the Colne still called the king's meadow was from time immemorial divided by boundary stones, as it is divided to this day—

perhaps by the selfsame stones—into eleven long strips running back from the river. The ten acres of meadow which formed part of the king's demesne do not lie together in one plot, but in three several plots, here and there. Another of these plots has always been known as the 'Parson's Acre,' probably as belonging in early times to the priest of the village community; another plot is called the 'Mill Ham,' probably the portion allotted to the village miller, the tenant of the middle mill. All this looks as if the land had once been held by the freemen in common as Lammas land until the common tenure was converted into tenure in severalty, when each man took the strip of land which the lot had assigned him, and the King, as lord of the manor, took the three strips which fell to his share. When the Crown granted the castle to a private owner this block of demesne and these ten acres of meadow were granted with it; and the whole property has passed in the same condition from one owner to another to the present day.

The expression 'the whole of this belongs to the ferm of the king' means that the king's rents, customs, &c., of Colchester were farmed by some one—probably at this time by the community of burgesses—and that the demesne lands were included in the transaction.

Next comes a very interesting entry: '*In Commune Burgensium* fourscore acres, and round the walls eight perches, out of the whole of which the burgesses have sixty shillings a year for the king's service, if it is needed, if not they divide it in common.' The phrase *In Commune Burgensium*—in common among the burgesses—is a very important one, as it shows that the burgesses—viz. the representatives of the original Saxon freemen, among

whom the *civitas* of Colchester had been divided—now formed a community having corporate property. The eighty acres were undoubtedly the 'Borough Field,' lying on the Lexden road. The words 'and around the wall viii. perches' are in the first place interesting as an allusion to the existence of the wall of the town. It is easy to conjecture that the eight perches round the wall must allude to the dry ditch and banks surrounding the walls, of which traces still exist. Round the north-east angle of the wall there can still be traced in the ordnance map the remains of an external rampart, and the outer face of this rampart is just eight perches from the town wall. This seemingly arbitrary limit of eight perches marks the site of the Roman mound and ditch, and seems to prove that the rampart originally extended round the whole of the wall.

The Custom was for the king's burgesses to pay yearly two marks of silver, which belonged to the ferm of the king: also '6*d.* for each house for the maintenance of the king's soldiers, or for an expedition by land or sea;' but these sixpences had been commuted in King Edward's time for an annual payment of 15*l.* 5*s.* 3*d.*

From another entry in the survey we learn that Colchester and Malden pay 20*l.* for their mint. A mint was one of the usual privileges of a burgh. The moneyers received their dies from the Exchequer, and worked under the inspection of officers called *Examinatores Monetæ* and *Custodes Cunearum*—assayers of the money and keepers of the dies. There is some evidence that the moneyers of Colchester were four in number. Coins of William I. are found stamped with the names

of four different Colchester moneyers—Wulfric, Ælfsige, Wulfurine, and Derman.

We have already seen that there was a church in Greenstead, on the lands of Godric, which had come into the possession of Count Eustace. The only other church named is St. Peter's, situated at the intersection of the two main streets of the town, the part of the area within the walls which was most thickly inhabited. In the time of King Eadward, this church, with its endowments, had belonged to two priests, which seems to point to a married clergy and hereditary benefices, and the consequent holding of benefices in common or partition, not unusual in those times. But the two priests were dispossessed of their church; and its estate of 200 acres of arable and twelve of meadow land, and a mill, as well as their two houses in the burgh, were divided between Robert, son of Ralph of Hastings, and Eudo Dapifer. It is very possible that there were other churches or chapels, which, not having property liable to any customs or dues, did not need any mention in this purely financial survey. Norwich at this time had twenty churches and forty-three chapels. Norwich was indeed twice as populous, wealthier, and more advanced than Colchester; but Ipswich was no larger, and it had nine churches. Seven priests are named among the king's burghers: Edwin the priest had one house and twenty acres; Ælfheah the priest, one house and twenty-five acres; Ælfgar the priest, one house and one acre; Edward the priest, one house; Ulfward the priest, one house and one acre; Siward the priest, one house and four acres; Ælfwin the priest, three houses and two acres. One of these may be the rector

of Greenstead, and two others the joint rectors of St. Peter's; the rest very possibly indicate as many churches or chapels within the wide area of the civitas. There is, indeed, some evidence to strengthen this conjecture that there were other churches. Only ten years later we have mention of Siric (Sigeric) the priest, with his wooden church on the south of the town, on the site where Eudo founded his monastery of St. John; and six years after that the chapel of St. Helen is spoken of as of some standing.

The tower of Holy Trinity is a remarkable example of a Primitive Romanesque tower built of brick—as was natural at Colchester. St. Mary's, which was built within the bishop's soke for the accommodation of the tenants of the bishop's lands both inside and outside of the burgh, may also very probably have existed before the Conquest. Some of the other churches have dedications to saints popular in the earlier calendar, as St. Runwald and St. Botolph. The conventual church of St. Botolph was indeed built long after the Conquest, but there is some reason to believe that, like St. John's Abbey, it replaced a former church, the earlier dedication of which it retained. It is however possible that the English burghers may have built these churches after the Conquest, and dedicated them to the still popular English saints.

There seem to have existed two private jurisdictions in addition to that of the king. The 'curia' of Hamo Dapifer probably indicates that he had rights of jurisdiction over his hide of land and fifteen burgesses. In the description of the bishop of London's holdings in another part of the Survey we find two distinct pro-

perties—the Bishop's Fee of fourteen houses and four acres, which were exempt from quit rent, and two hides and one acre, and a mill, which pay quit rent like the rest of the *civitas*. Morant shows that a few years later the former property, bounded by two lanes which still exist, was a distinct jurisdiction—*the Haymesokne*; and though it is not mentioned in Domesday, its origin must have dated back far before that period.

The facts which the Survey gives, and the probable inferences from them, make it possible to sketch in outline the history of the growth of the Saxon town. The evidence points to the conclusion that the original Saxon settlers in Colchester formed a free community. They seized on the tract of land which, originally forming the British oppidum of Camulodunum, and subsequently cultivated by the veterans of Colonia and their descendants, constituted a large and tempting district of fertile land in the midst of the surrounding woods and scrub and marsh. These new settlers divided the arable lands among themselves; but the existence of commonage and the peculiar division of the meadow land called the King's Meadow are traces of the survival among them of some remains of the earlier mark system. Godric may represent one of the original chiefs of the settlement who, with a handful of personal followers, led the band of free settlers to their new seat, and received a proportionate share of land at Lexden (Greenstead was probably a subsequent acquisition of one of his descendants), and continued to exercise jurisdiction over his own men. Thurbern, with his hide and fifteen burgesses and curia, may represent another original chief who led a smaller group of personal ad-

herents in the conquest. The king's rights must have come in gradually at the time when 'the king began to be regarded as the owner of the folkland and the lord of every man who had no other lord,' probably at an early period, generations before the Norman Conquest, judging from the shape of the king's demesne lands, and from the fact that these lands have never been built over, and must therefore have been marked off before houses began to cluster thickly within the walls.

The king, as lord of the manor, was regularly represented by a reeve, who looked after his rights and dues, and had opportunities of increasing his claims and making himself generally disagreeable. The king seems at one time to have farmed his manor to the bishop; at some time Waleran and Walchelin were in a position of authority—either they farmed the manor themselves or acted as the agents of the king or of the bishop; but at the time of the Conquest the burgesses of Colchester had probably arranged to farm their own manor; they paid the king certain fixed customs and dues, which their own officers gathered, and so protected themselves from exactions and annoyances. The jurisdiction of the town was exercised in the hundred court, presided over by the sheriff. Only from this general jurisdiction the Lexden tenants of Godric's land had been withdrawn by the king's reeve of Stanway, and the men of Thurbern's soke and the bishop's soke were exempt, and were tried in their own court only.

At the time of the Survey, the inhabitants consisted of the burgesses, the tenants of the burgesses having themselves no burgess rights, the *villani* or peasants

holding land of their masters and paying rent in labour and kind, and the *bordarii*, the farm labourers of the larger holders, lodged and boarded on the farm. The total number of houses is 450. If we assign a family to each, and assume the modern average of five in a family, that will give us a population of 2,250. Of these 450 houses many were scattered about the fields of the *civitas*, only a portion of them were within the walls and formed the Burh. These were probably small timber houses arranged along Head Street and High Street, the central and highest part of the town. By far the largest part of the area within the walls was uninhabited. The changes and chances of centuries had probably long since brought down all the timber upper works of the Roman houses into ruin and crumbled the ruins into soil and clothed it with herbage; but in some places massive brick walls of Roman public buildings probably still existed, and turf-covered mounds indicated heaps of ruin beneath the soil, the quarries whence Norman and Plantagenet builders subsequently found the materials for castle, monastery, priory, and churches.

We have in the Chronicle of St. John's Abbey a general description of the town at a time a very little later than this, with which it may be worth while to conclude this chapter:—

'The city of Colchester is placed in the eastern part of Britain, a city near to a port, pleasantly situated, watered on every side with abundant springs, with a very healthy air, built with very strong walls; a city to be reckoned among the most eminent, had not time, fires, floods, incursions of pirates, and various strokes of misfortune obliterated all the monuments of the city.

It is said that Helen, formerly mother of the Empire (*imperii matrem*), was born and brought up in this city, the greatness of which is indicated by this fact (at least so it was said), that Constantius, the father of Constantine the Great, besieged it for three years, and only obtained it then by marriage with Helen. It is indicated also by the things which men turn up from the earth in digging, both iron and stone and bronze figures (*ære signata*), and by buildings found underground.'

## CHAPTER VIII.

### EUDO DAPIFER.

Eudo's parentage—Dapifer of Normandy—He receives Colchester with its belongings—William II. confirms the grant, and adds to it—Eudo builds the castle.

THE Conquest—which brought general ruin to the Saxon landowners, and poverty and oppression to so many Saxon men—brought prosperity to the borough of Colchester. 'Godric the freeman'—'Godric of Colchester'—had been the great man of the Saxon burgh: Eudo the Dapifer became its great man and its munificent benefactor in Norman times.

Eudo was the son of Hubert of Rie, the lord of a little town and castle three leagues north-east of Bayeux, who had been faithful and serviceable to the young duke, William, at the moment of his flight from Valognes. The duke was not ungrateful: he found that Hubert and his sons were men of capacity, and he ultimately raised them all to positions of eminence and wealth. When William set out to wrest the kingdom of England from Harold, four of Hubert's sons accompanied him, and shared in the honours and rewards which the Conqueror distributed among his followers. Hubert, the eldest, was made keeper of the castle of Norwich;

Ralph, keeper of the castle of Nottingham; Adam held large estates in Kent; Eudo was tenant-in-chief of sixty-four manors scattered over the eastern counties, of which twenty-five were in Essex. To complete the family history, Robert, another son, had been left in Normandy as Bishop of Seez, and one daughter was married in Normandy to Peter of Valognes. Eudo's greatness was further augmented by his marriage with Rohaise, daughter of Richard son of Gilbert, a descendant of Duke Richard the Fearless, through whom he had great and powerful connexions.

The chronicle of the foundation of the abbey of St. John, Colchester, which is printed in the Monasticon, gives a curious story of the circumstances under which FitzOsbern, William's most trusted follower, resigned the hereditary office of Seneschal of Normandy, and the king conferred it on Eudo. The office of chief dapifer or high steward, which FitzOsbern thus resigned and Eudo received, was a great office of state, which placed its owner among the chief personages of the ducal court. That it was hereditary in Eudo, as it had been in FitzOsbern, is proved by the fact that Eudo's only daughter conveyed it to her husband, William of Magnaville. There were other dapifers besides Eudo—the charter of confirmation of William II. to the abbey of Bath in 1090 gives five of them: Eudo, who signs next after the royal chaplains, Ivo, Hamo, Roger, and William. In Hamo Dapifer we recognise the owner of the house, curia, hide of land, and fifteen burgesses of the Colchester Domesday Survey.

We have seen that Eudo Dapifer already held property in the burgh—five houses and forty acres, and half

the church of St. Peter. The Chronicle of St. John's Abbey, whose authority in this matter we see no reason to doubt, tells us that William subsequently gave him all his own interest in Colchester.[1]

The Chronicle further tells us that on the death of the Conqueror Rufus confirmed the grant of Colchester to Eudo, and that, when in the first year of the reign of Rufus, Eustace of Boulogne was deprived of his fiefs, his forfeited estate in Colchester—viz. one hide of Greenstead with the church there, and half of the mill, and thirteen houses—was added to Eudo's possessions. The Chronicle speaks highly of the kindness of Eudo's rule over the people; he inquired into their grievances, relieved those who were burdened, restrained the overbearing, took in hand lands left untilled through condemnation of the owners or because they were in litigation, paid the dues on them, and so relieved to that extent the fiscal burden of the commonalty, and generally, unlike many of the Norman lords in their dealings with the English, he won their gratitude.

Henry I. on his accession confirmed the grants of his father and brother. The date of his grant is 1101, and in it the king says that he has given and granted to his Dapifer Eudo the *civitas* of Colchester and the tower and the castle and all the ferms of the said civitas, with all things which belong to it, with all its customs. 'Tower' is the word used in the documents of those

[1] 'Acceperat autem Eudo hunc honorem [viz. civitatem Colecestriæ cum suis pertinentiis] ab Willielmo seniore, pro sui patris suique in regalem familiam devotione.' *Civitas Colcestriæ cum suis pertinentiis* would mean all that the crown possessed there—the two hides and half-mill of Godric's estate at Greenstead, the demesne lands, the rents from the king's burgesses, and all other dues and customs.

days to describe a Norman keep; 'castle' applies to the remaining buildings of the fortress. So that we may take it as certain that Colchester Castle already existed in the first year of Henry I.

Eudo was the builder of the castle whose ruined keep is still one of the principal features of interest of the town, and he also founded the great Abbey of St. John in the southern suburb—foundations which greatly increased the importance of the borough, and were a source of prosperity to it for several centuries.

As it has been disputed whether Eudo or the king was the builder of the castle it may be well to indicate briefly the principal evidence in support of Eudo's claim: It was built between the Conquest and the end of the reign of Rufus, for it is mentioned as existing in the confirmation grant of Henry I. It was built either by the king or by Eudo to whom the king had granted all his rights in Colchester.

The king built numerous castles and put garrisons into them; he also expected his Barons to build castles on their estates. This huge keep is more likely to have been built by Eudo than by the king; for there was no reason why the king in building a number of fortresses up and down the country for purely military purposes should order Colchester to be of such exceptional magnitude. It was not unnatural that a man of grand ideas who had risen to be Grand Seneschal of England and of Normandy and lord of sixty-four manors should build himself an exceptionally grand castle 'for the house of his kingdom and the honour of his majesty.' Besides the probabilities of the case, there is the positive evidence of one of the documents relating to Tintern

Abbey printed in the 'Monasticon' (vol. vi. p. 724), where Eudo the Dapifer of Normandy is referred to as 'he who built the castle of Colchester and the convent of St. John.' There are indeed two blunders in the document, but they do not affect its evidence that it was matter of public notoriety that Eudo was the builder of the castle and abbey at Colchester.

## CHAPTER IX.

### THE CASTLE.

Site of the castle; its plan; its architect—Its history—Constables—Garrisoned by Lewis of France—Surrendered to King John—In the custody of the sheriff—Alienated by Charles I.—Restoration.

THE castle is situated, not on or near the wall of the town, but, roughly speaking, in the middle of the town, about 600 feet from the north wall, and 1,100 from the east wall, on the edge of the steep northern slope of the hill, in the square plot of 'Royal Demesne' already mentioned. Here an irregular pentagonal area is enclosed by a lofty rampart of earth. On the north side, where it is most perfect, the rampart is still twenty to twenty-five feet high in the inside, and, by favour of the slope of the hill, about seventy feet high on the outside. It was probably surmounted by a solid palisade of timber,[1] which must have formed a formidable defence; it was the kind of outer defence very usually adopted in Norman times, and as frequently in later times replaced by a wall of stone. It is very possible that this earth-

[1] In 1215 we learn from the Close Rolls that a violent wind had uprooted this palisade (*palicium*), and an order was issued for the felling of timber from the king's wood 'ad illum (sc. castellum) claudendum,' for the making good the enclosure of the castle.

work, which is not symmetrical with the keep, may be part of an earlier fortress, such as existed in most of the chief towns of England before the Conquest. If so, it would be this earlier fortress which the writer of the 'Colchester Chronicle' in the custody of the Corporation meant when he wrote that Eudo built his castle *in fundo palatii Coelis*.

Within this pentagonal earthwork stands the vast tower or keep, by far the largest of all the Norman keeps which remain in England.[1] It is a parallelogram of 155 feet by 113 feet, exclusive of the projecting buttresses and the chapel apse. It was not situated on a lofty mound—the heavy Norman keeps seldom if ever were; but to make up for this the whole basement was turned into a comparatively solid platform; first it was divided by massive walls into four compartments; these were filled with the gravel dug out of the foundations and fosses, and the heaps of gravel were rounded at top so as to form a centering for massive barrel-vaulting, upon which the ground floor of the keep was laid. All the towers were of solid masonry up to the height of the first floor. As it stands at present the tower is low in proportion to its other dimensions, when judged by the usual proportions of Norman keeps; but a careful examination discovers conclusive evidence that it had originally another story, as the Tower of London still has; this crowned with a parapet, and with the corner towers rising still another stage above the parapet, would greatly improve the proportions of the building.

[1] The other keeps of greatest size remaining are—London, 116 feet by 96; Norwich, 100 by 93; Canterbury, 90 by 83.

One feature of great interest which at once strikes the observer is that a large quantity of Roman bricks is used in the structure, and that in the lower part of the building they are used alternately with courses of stone after the manner of Roman construction. This peculiarity has led some antiquaries to conjecture that the building itself is Roman. But it is easily accounted for. The Roman ruins within the city afforded a quarry from which all the mediæval builders helped themselves. The towers of Holy Trinity and St. Martin's, the church of St. Botolph's Priory—in short, all the early buildings, consist largely of Roman materials. The castle was the first building on a great scale since the days of the Roman colony, and therefore its builders would find an abundant store of bricks ready burned and stones ready squared to their hands. It was very natural that in using the Roman materials of brick and septaria they should take a suggestion as to the best mode of applying the two different materials, to say nothing of imitating the ornamental effect of the alternate bands of colour, afforded by the town walls and other portions of Roman building still standing. The plan of the castle and the details of its architecture are entirely Norman. Its plan has this feature of special interest, that it is strikingly like that of the White Tower of London. The resemblance is so great that it is impossible that it can be accidental. Either one building was copied from the other or, which is more probable, they both had the same architect, who repeated his design in the two places. There is reason to believe that the tradition that Gundulf of Rochester was the architect of the White Tower is correct; the date usually ascribed to it

is 1078; the Colchester Chronicle assigns Colchester to the year 1076. We have the evidence of the Chronicle of St. John's Abbey that Eudo was on intimate terms with Gundulf and consulted him about his monastery; he may well, therefore, have applied to the bishop, as the greatest castle-builder of the time, for the plans for his castle at Colchester. The result was a stately tower, the largest Norman keep of which we have any remains or record; with the stern simplicity of its architecture enriched by the bands of deep red tiles and cream-coloured stone in its walls, with a stately portal and grand winding stair, and internal arrangements for convenience and comfort beyond those which were usual at the time. The courtyard around the keep was of course occupied by the other buildings required for the accommodation of the household, horses, and stores of so great a man as the high steward of Normandy and of all England, but of these subsidiary buildings not a trace remains. This courtyard was called the Upper Bailey, to distinguish it from the Nether Bailey, now known as 'the Sheepshead Meadow.'

It is remarkable that this vast fortress never played any important part in the general history of the country; it stood several sieges, and was never taken by assault; but it does not supply us even with a notable feat of arms with which to embellish our history. Still it was the castle which gave to the town such political importance as it possessed in the middle ages, and it is necessary to give here a sketch of its subsequent story.

When Eudo died, leaving a daughter as his heiress, the king resumed his English estates, for it had become

the policy of the Crown to discourage the holding of great estates in both countries in the same hand, and Margaret carried only his Norman possessions and the hereditary stewardship of the duchy to her husband, William de Mandeville. The barony was severed from the tenure of the castle. The chief castles of the realm, by whomsoever built, had always been regarded by the Norman kings as royal fortresses, and there are many examples of the Crown taking in hand castles built by subjects, repairing and garrisoning them whenever it seemed good to it. So the king now took Colchester Castle in hand, but in granting the constableship of it the hereditary principle, which then entered so largely into the tenure of all offices, will be found to have been regarded. Henry I. committed the custody of the castle to Hamo of St. Clare, probably a member of a family of that name which had estates in Essex and Hertfordshire. Hamo was succeeded by Hubert of St. Clare, to whom the king granted the manor of Lexden; but the ferm of the borough of Colchester was severed from the constableship of the castle, and was henceforth to be paid according to usual custom through the sheriff of Essex. Hamo's daughter and heiress married William de Lanvalei, lord of the manor of Stanway, to whom she transmitted the estate and office of her father. A son and grandson succeeded. All the Lanvaleis were benefactors to the monastery of St. John and the hospital of the Holy Cross.

Though after Eudo's death its castle was no longer the head of a great barony, the town continued to flourish. Richard I. in his first year gave the burgesses a charter confirming all its old privileges and customs as pre-

viously ascertained by the king's Itinerant Justices in the reign of his father, and added the privilege of hunting the fox, hare, and cat within their now liberties. To the abbey the same king gave the right of sanctuary.

In the reign of King John, the king's relations with his barons gave a new importance to all the strongholds of the kingdom, and Colchester played a part in the general history. Some time before the signing of the Great Charter the king spent two nights at Colchester, 5 and 6 November, 1214. Perhaps he then found that he could not depend upon the adherence of Lanvalei, who, in fact, was in the interest of the Barons; a fortnight after he sent Stephen Harengoot, who no doubt was one of his Flemish mercenaries, to take charge of the castle and put it in a state of defence. From the terms of the grant of the constableship to Harengoot we gather for the first time that at some previous period the Hundred of Tendring had been attached to the office of constable of Colchester Castle, who had his steward and bailiff, and his court had jurisdiction over seventeen manors. From an entry in the Close Rolls we learn that eight *balistas*—two twenty-four-inch and six twelve-inch—with engineers to work them, were at this time sent from London, and an order was given for the felling of trees in the king's wood at Colchester for timber to strengthen the defences of the town. These preparations, however, were useless. John, unable to resist the force which the Barons brought against him, signed the Great Charter on the 15th of the following June, and a few weeks after Harengoot was ordered to surrender the castle again into the hands of its hereditary keeper, William of Lanvalei. The king, however, meditated

revenge, and the Barons prepared for their defence. In November 1215 a French force landed in Suffolk as allies of the Barons, and a portion of them were sent to strengthen the garrison of Colchester. John ordered Savaric de Mauleon to besiege it, but having to convey his siege train from Rochester, which he had just taken by assault, he did not open his operations at Colchester till the end of the following January. The siege continued till March. On the 14th of that month John himself appeared before the walls. The French part of the garrison purchased safety by surrender; four knights, each having ten squires and eight mounted men-at-arms, seventeen *balistarii*, and twenty-two foot soldiers—215 in all—marched out of the castle and up to London under a safe conduct; the English part of the garrison was committed to prison, and Harengoot was once more put in charge of the fortress. He held it till the successes of the Barons in alliance with Lewis had once more reduced the royal cause to extremity; when, as one of the conditions of a truce, the castle was surrendered to the Prince. Colchester saw more of King John than of any other of its sovereigns. He visited the castle in all six times, from 1203 to 1216, staying eleven days during his last visit. When the death of John and the departure of the French had left the land in peace, the castle was given into the custody of William, bishop of London, and afterwards of Eustace, his successor in the see—a temporary measure which is explained by the fact that Lanvalei had died, leaving only a daughter, Hawise, as his heiress. The young lady was given into the wardship of Hubert de Burgh, who married her to his son, and in her right assumed charge of the castle. On

his fall the constableship passed to Stephen of Segrave; in whose time we first hear of 'the felons in the king's prison of Colchester.'

In the struggle between Henry III. and his Barons the castles of the kingdom again became of political importance. The king had made one of his favourites, Guy de Rochefort, constable of Colchester in succession to Segrave. The Barons turned out Guy and committed the fortress to the keeping of the Earl Marshal, Roger Bigod; and when the battle of Evesham gave the final victory to the king's party, the castle was transferred to Thomas, the brother of the Earl of Gloucester. From this time the castle ceased to have any military importance. It was put into the custody of the sheriff of the county, and was used as the county prison; and the castle lands were ordered to be sown for the profit of the Crown.

From the time of Henry III. on to the great Civil War the borough has little place in the political history of the country. Such interest as attaches to its story is mainly local, and its religious, municipal, and social affairs will, for the sake of clearness, be dealt with separately in the following chapters.

# CHAPTER X.

## RELIGIOUS FOUNDATIONS.

The chronicle of St. John's Abbey—The first monks—Monks from York—Hugh of York first abbot—Removal of cloister buildings—Eudo's benefactions; he founds the hospital of St. Mary Magdalene—Foundation of St. Botolph's Priory—Growth of the southern suburb of the town—The parish churches: completion of the parochial arrangements—Crutched Friary; the Franciscan Friary—The Hermitage and Holywell—The Chantries—The census of the clergy—The Guilds—The changes at the Reformation—Post-Reformation foundations: the free school; charity schools; almshouses; Archbishop Harsnett's library.

As in a former age it had been part of the dignity of a thegn to have a church and mass priest for his own estate, so now it was part of the dignity of a Norman noble to found a monastery on his lordship. So when his castle was finished Eudo laid the foundations of a Benedictine convent just outside the city, which must have greatly contributed to the prosperity of the citizens, and promoted learning and religion among them. The chronicle of the monastery already quoted tells us with much picturesque detail the story of the foundation.

Near the city, on the south side of it, there was a little mound on whose northern slope Siric (Sigeric), a priest, had a habitation and a church, constructed of wooden planks,

consecrated to St. John the Evangelist. In this church, in the darkness of the night, divine lights were often seen to flash, and voices were heard praising God, while no one was within. It happened also that on the Festival of St. John a certain man who was fettered by the king's command, and was maintained by the citizens in turns, was present there with many others at the celebration of mass, when suddenly the bolt of his manacles sprang out beyond four or five of the bystanders, and the fetters broke with a noise, and the man stood free; and the whole city rejoiced at the miracle.

Eudo, attracted by this miraculous reputation, and pleased with the pleasantness of the place, determined to build a monastery there. Accordingly, on the twenty-ninth of August 1096, the foundations of the building were marked out, and in the following year, after Easter, Eudo himself laid the first stone of the building, his wife, Rohesia, a second, Earl Gilbert, the brother of Rohesia, a third, and others in order. Eudo asked Gundulf, bishop of Rochester, with whom he was well acquainted and on friendly terms, to send him some monks. The first two, who were maintained at Eudo's expense, accustomed to a more delicate style of living, complained, grew tired, and returned home again. Others sent in their place complained at being dependent on a layman for maintenance. The Chronicle explains Eudo's apparent want of munificence by stating that he was himself just then in difficult circumstances through having, on the death of Rufus, favoured the succession of Robert rather than of Henry. Through the influence of his wife's great relations, however, the king was soon reconciled, and Eudo was restored to the

royal favour. Eudo then gave his monks the tithes of some parishes, which were however so small and so distant that they cost more in collecting than they were worth, and the second set of monks abandoned the place. This vexed Eudo much, and made him almost repent that he had begun the undertaking; but he consulted Stephen, Abbot of St. Mary's of York, and put the whole matter into his hands, and Stephen sent him thirteen monks from York. These presented a spectacle of the religious life which soon attracted others to join their community, while William, a priest, a nephew of Eudo, urged on the erection of the church and cloister buildings. By 1104 Hugh of York was consecrated its first abbot, by Maurice, bishop of London.

The conventual buildings had originally been placed on the north side of the church, but the noises of the neighbouring town disturbed the religious quiet of the monks, and the abbot had the little hill which overhung the church on the south levelled, the cloister rebuilt on that side; and the cemetery on the north side levelled up with the transplanted soil.

Eudo was now in a position to bestow suitable endowments on his monastery, and among them two carucates of land, with a messuage (the two hides of Godric's estate which had belonged to the king and which he had given to Eudo), fishponds, a mill,[1] and an osier ground, the church of St. Helen and fourteen acres belonging thereto, and all the profits of the chapel in Colchester Castle, and of all the chapels in his manors north of the Thames. Other endowments came in from other donors, and the convent increased to twenty monks.

[1] Bourne Ponds and Mill.

While the monastery received large endowments from Eudo and other benefactors, it received large privileges and immunities from pope and king. It was exempted from all episcopal and other jurisdiction; and received full jurisdiction in all causes on the lands belonging to it. It received also the grant of an annual fair on St. John's Green.

There is a curious piece of history about the earliest extant charter, which is dated fifteen years after the foundation. When Gilbert became abbot, and looked over the charter of the abbey, he found that the royal confirmation of the founder's charter was missing; he had a fresh charter drawn up, and sent Osmond the Prior with it to Eudo, who was then living at his castle of Préaux, entreating him to obtain the confirmation from King Henry, who was then in Normandy. The story continues that Eudo and Rohesia accompanied by Prior Osmond went to Rouen, where the King then was, and made their request. The document was read out by John of Bayeux, the Treasurer, but when he came to the list of privileges, which were written in English, he stopped and confessed that he could not read them, whereupon the King Beauclerc took the document from his hands and read them as follows: 'Mundbryce, Burhbryce Mis kenninge, Sceapinge. Hlesinge, Fy'dsokne, Flymena fyrmpe. Wergeldfeof. Ulhleaf. forfeng, fygfeng, fyrdwite, fyhtwite, feardwite, Hengwite, Hamsokne, forstall, Infangenfief, saka, sokna, toll and team;' and explained the meaning of these English law terms. The confirmation was dated at Rouen in the year 1117.

When Eudo died, February 28, 1120, at his castle of Préaux, in Normandy, he gave his body to be buried

in his monastery, together with the manor of Brightlingsea, a hundred pounds of pennies, his gold ring set with a topaz, his cup, with a cover, ornamented on both sides with plates of gold, and his horse and mule. His wife died within the year, and desired to be buried beside her husband; but the monastic chronicler complains that her brothers, to save expense, buried her at Bec.

St. John's grew into a great and wealthy monastery. The principal original endowments of the abbey were within the liberties of the borough. The situation was perhaps calculated to benefit both abbey and borough, but it was also calculated to create jealousy between the two; and we have several instances in the records of the town of the collision of their rival jurisdictions.

Another of Eudo's foundations suggests unpleasant conclusions as to the condition of the growing town. The returning Crusaders had brought back with them from the East the plague of leprosy; and the unwholesome food and unhealthy dwellings of the poor in the larger towns fostered the dreadful disease, which gradually spread over England and lasted into the fifteenth century. The philanthropy of the times built hospitals, usually by the roadsides, a little way out of the towns, for the reception of these lepers; and the religious spirit of the times undertook their cure as a work of Christian charity, and gave to these hospitals an ecclesiastical organisation. The curse of leprosy must have already appeared in Colchester, for Eudo built a hospital under the invocation of St. Mary Magdalene, for a master and four leprous persons, and endowed it with several grants of land within the liberties of the borough, and with the

tithes of St. John's Abbey. In directing that the four brethren should be lepers Eudo followed the precedent of Burton Lazars, the chief leper hospital in England, where some of the brethren were lepers and some sound. Richard I. added to the income of the hospital by giving it a charter to hold an annual fair.

A dispute occurred in the time of Edward I. between the master and leprous brethren of the hospital and Adam Campes, the abbot of St. John's, who withheld the tithes of the abbey and claimed obedience over them. He sought to further his claim by demanding to see their foundation charter, and destroying it when it was put into his hands. But the hospital appealed to the Crown, and obtained a confirmation of its ancient rights.

Five years after the consecration of the Abbey of St. John's, the town was enriched by another great religious foundation. One Ernulf introduced into England the Order of Regular Canons of St. Augustine, and built the first house of the Order on the south side of Colchester, probably just outside an ancient Roman postern gate in the south wall, and possibly on the site of an existing church of St. Botolph, and the bull of Pope Paschal II. gave this house authority and jurisdiction over all the houses of the Order in England.

Considerable ruins of the church still remain; their style is pure Norman, but the extensive use of the Roman material, which the ruins of the city supplied, gives it great novelty of effect. The west front is still sufficiently perfect to present an imposing and interesting design.

A careful study of the existing remains leads to the conclusion that the arcades were built of rubble and coated over with cement. There is a core left for the

capitals, which were also probably formed in cement, with some of the usual Norman mouldings. It is perhaps the earliest illustration known of the fact that the mediæval builders have none of the repugnance which we attribute to them for the use of 'stucco'; in many examples it can be shown, and in all other examples it is probable, that walls built of rubble were coated with cement; in some cases ornamental features were painted on the cement *in fresco*.

We learn subsequently that the church was a double church, serving not only for the priory but for the parish. The way it became so probably was that an existing church and benefice of St. Botolph were impropriated to the priory; the parishioners retaining their rights in their parish church, which was to be served by the canons, and that when the little Saxon parish church gave place to the Norman priory church, the parishioners were provided for in the new church, perhaps in one of the aisles, an arrangement of which there are many examples in ancient times, and one in modern times, in the incorporation of Truro parish church as an aisle of the new Cathedral.

Early in the thirteenth century (a little before 1244) William de Lanvalei, lord of Lexden and constable of Colchester castle, added to the religious institutions of the town by founding a hospital of the Holy Cross, a little distance south-west of the town, for a prior and several brethren of the Crutched Friars, and a number of poor people.

The presence of the abbey and the priory on the south side of the town led to the growth of a considerable suburb here, while large spaces of the area within the walls were still left unpeopled.

## CHAPTER XI.

### THE PARISHES AND LATER RELIGIOUS FOUNDATIONS.

The pre-Conquest Churches—The post-Conquest Churches—Organisation of Parishes—The Friary—The Hermitage—The Chantries—The Guilds.

It was probably in the thirteenth century that the ecclesiastical organisation of the borough was completed here, as in some other places, by subdivision into the distinct parishes which have continued ever since.

The whole town, with its liberties, is divided into sixteen parishes, each with its parish church. Of these eight are within the walls, four without the walls, and four within the liberties. The parishes within the walls are St. Mary's, St. Peter's, St. Runwald's, St. Martin's, Holy Trinity, St. Nicholas's, All Saints and St. James's. Without the walls, St. Botolph's, St. Giles's, St. Mary Magdalen's, and St. Leonard's or the Hythe. Within the liberties Lexden, Mile End, Greenstead, and Berechurch or West Doniland.

We can only conjecture the history of the formation of these parishes. It will be remembered that the Domesday Survey only mentions St. Peter's-in-the-Burgh and the hamlet church at Greenstead; but that there is reason to suppose that Sigeric's church of St. John, St. Helen's chapel, and Holy Trinity, existed at the time of the Survey, and that there were possibly others

to which we possess no clue. St. Mary-at-the-Walls is within the bishop's soke, and its parish extends over the bishop's lands within and without the walls; it is safe to say that it was the bishop's church built for his own men and very possibly existed before the Survey. Thurbern's *Curia* also suggests that his soke may have had its church. St. Botolph is a favourite English dedication, often given to a church near the gate of a town, as in the present case. The priory was really dedicated to St. Julian and St. Botolph, but as early as the charter of Richard I. and the bull of Paschal II. it is called by the name of St. Botolph only. The priory church was also the parish church of the parish of St. Botolph. All this points to the possibility that the priory, like the abbey, had been built upon the site of a previously existing church of St. Botolph. The tower of St. Martin's is entirely of Roman material, which gives it an appearance of very early antiquity, but its style is Norman. There are traces in the west wall of the nave which lead to the suspicion that the tower may have been added on to an earlier church; still in this earlier work there is nothing which can safely be pronounced to be earlier than Norman. All that it is safe to say is, that a church stood here in the twelfth century.

How were the other parishes formed? It is not difficult to conjecture the origin of those outside the town. Just as Godric had a church on his estate at Greenstead, so other principal landowners in the outlying liberties would be likely to build churches for themselves and their tenants. Lexden Church was probably an early foundation of the lords of that manor for the use of themselves and their tenants. The convent of St. John's

perhaps built St. Giles's for the use of the inhabitants of their estates about the abbey, since it consists almost entirely of the demesne lands of the abbey. The very small parish of St. Magdalene similarly consisted chiefly of 'Magdalene Green,' and it does not seem to have had any other church than the hospital chapel. Berechurch in West Doniland was originally, and till 1536, a chapel of ease to Holy Trinity.

It is the churches within the walls which present the most interesting and obscure problem. Who built and endowed them? On what principle were the parishes marked out? By what gradual steps did the work progress, until at length the 108 acres within the walls were divided into eight parishes, and for the whole population of about 2,000 souls within the borough and liberties no less than sixteen churches and parish priests were provided?

It is to be observed that, when eight of the parishes are described as within the walls, and four in the suburbs without the walls, what is meant is that the churches and principal parts of the parishes are so situated; but it is a remarkable fact that all the parishes within the walls also extend beyond the walls; some of them extend a considerable distance into the country; while of those which lie chiefly in the suburbs, some (like St. Botolph's) also extend a little into the town; and all have outlying bits of land in various directions.

This seems to indicate that in the town as in the country the limits of parishes were determined by the previous accidental limits of property. The limits of the parish of Greenstead would be determined by those

of Godric's *quatuor mansiones*, and those of St. Mary-at-the-Walls by the bishop's soke within the walls and his other land held of the king's manor without the walls. It is probable that the limits of other parishes were determined in the same way; and finally, where there were no large proprietors, we may suppose that the bailiffs, as virtual lords of the manor, with the assent of the bishop, arranged the small properties into such convenient groups as circumstances allowed, and constituted them into new parishes, and so completed the parochial organisation of the town.

All these parish churches were comparatively small, none of them aspiring to take rank among the rest, by priority of foundation or the accident of superior size, as the great church of the town. This place seems to have been occupied by the priory of St. Botolph, whose spacious and handsome church and staff of canons supplied the town with a suitable ecclesiastical centre.

This may be partly the reason why the friars made their way to Colchester at so late a date and in so small numbers. This new kind of religious organisation was founded early in the thirteenth century, and in a short time most of the great towns of England possessed several friaries of various Orders in their suburbs. Colchester had practically only one, of Franciscans, and that was not founded till the early part of the fourteenth century. There was indeed one convent of Crutched (or crossed) Friars, founded by William de Lanvalei a short time before the year 1244; but it was really a hospital for poor people. It afterwards took the form of a free chapel under the care of a warden or rector; then it was called a church in the possession of a rector.

Towards the end of Richard II. the chapel and hospital were so much decayed and neglected that divine service could not be performed therein or the poor maintained, and an indulgence was obtained in 1401 or 1402 to raise funds for its restoration. In 1407 it took a fresh lease of life when the guild of St. Helen's adopted it as the seat of their new organisation, as will be hereafter described.

The Franciscans, or Grey Friars, were seated here in 1309 by Robert FitzWalter, lord of the manor of Lexden, who gave them about an acre of the vacant ground within the north-east corner of the town, just by East Gate. They seem to have flourished, for King Edward II. granted them a void place of four and a half acres contiguous to their house to enlarge their buildings, and the year following half an acre more for the same purpose. The same king gave the manor of Martaigneville, in Picardy, to trustees for their benefit, thus evading the law of their Order, which forbade them to have property. In 1422, John Pod, merchant, gave them eight and a half acres of land near the head of their conduit. The names of the wardens of the house occur from time to time, but otherwise history is silent about them. We have to picture them to ourselves in their grey gowns, ministering to the poorest in the lanes of the town, or going two and two through the better streets from door to door, asking alms for their maintenance.

No picture of mediæval society would be quite complete without the figure of a hermit; and here, to complete our picture, there was a hermitage and holy well with a chapel dedicated to St. Anne a little distance out of town, beyond the river, on the Ipswich road. This

hermitage was in existence in the reign of Henry III., and how much earlier is not known. It seems to have been an appendage of St. Botolph's Priory. One of the guilds of the town was connected with the chapel, and was called the Guild and Fraternity of St. Anne.

Religion and charity have their fashions. In the eighth and ninth centuries it was the fashion to build parish churches; in the twelfth century to endow monasteries with the property of the parochial benefices; in the thirteenth to found houses of friars; in the fourteenth the monks had outlived their usefulness, and the friars had lost their first fervour, and much of their popular favour, and pious munificence began to exhibit itself especially in the foundation of colleges and chantries. There were ten such chantries[1] founded here between 1321 and the beginning of Henry VII.'s reign, distributed among several of the churches and chapels of the town—two in St. Helen's chapel; four in the chapel of the Crutched Friars, which were incorporated into the guild of St. Helen; a chantry of two chaplains in St. Mary-at-the-Walls; one in St. Peter's Church; and a chantry of two chaplains in the church of St. Leonard-at-the-Hythe, who were required by their foundation deed to help to serve the cure of the parish. It was in the nature of things that chaplains endowed to pray for the repose of the departed and for the good estate of the living members of certain families should be in close relations with those families, and should supply to some extent the places of their domestic chap-

[1] Most of the land in Borough Fields and on each side of the London Road as far as the top of Lexden Hill belonged to these chantries.

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lains, having special cure of their souls. These chantries added seventeen priests to the number of spiritual persons in the town. These consisted in 1535, according to the list furnished by the oath of allegiance in the Corporation Records, of—Monks of St. John's, twenty-four, besides the Abbot's chaplains; canons of St. Botolph's, nine; Crutched Friars, twelve; Franciscan Friars, not known; the master of St. Mary Magdalen, one; the hermit of St. Anne's, one; the parochial incumbents, sixteen; the chantry priests, seventeen. To complete the account of the religious endowments of the town there must be added obits in seven of the parish churches, and endowments for keeping lamps always burning before altar, cross, or patron saint.

Among the most useful institutions of the middle ages were the Guilds. The guild was a voluntary association of men and women for mutual aid in sickness, old age, poverty, or losses by fire, and no less for mutual aid in spiritual things, by prayer for all the members living and departed. The guild put itself under some sacred name, met once a year and went to church in procession, and thence to its hall, where the members elected their officers and held a feast. Often the guild undertook to maintain special objects of religion and charity, as a chantry for the good estate of all the members living and repose of their souls when departed, a hospital for poor men and women, a free school, or some special devotion. The guilds also held frequent feasts for the promotion of good-fellowship among the members.

The principal Guild in Colchester dates from 1407. In that year some of the leading citizens founded a guild

under the name of the Fraternity and Guild of St. Helen, in the chapel of the Holy Cross, viz. the chapel of the decayed hospital of the Crutched Friars, of which they seem to have obtained possession as the chapel of their new guild. They were empowered by their patent to choose every year one or two guardians or wardens, to found a chantry of five chaplains in the said chapel, and to maintain thirteen poor men, to pray for the king and for the brethren and sisters of the guild. In 1418 the members of the guild were sixty-five in number, in 1491 they numbered eighty-seven, and among them some of the dignitaries of the town and neighbourhood. It was the great charitable institution of the town. Though we find no record of its pageant and feast, yet it is certain that it would have them, and probable that the pageant would be like that of the guild of St. Helen, founded at Beverley in 1378. There on their feast day the members went to church in procession ; a fair youth was dressed to represent the empress, and old men went before carrying a cross and a spade in token of the finding of the Holy Cross, and the brethren and sisters followed two and two all fairly clad, and went with music to the church of the Friars Minors—at Colchester they would go to the chapel of St. Helen—where mass was celebrated ; then they returned to the guild house, elected officers for the year, and dined off bread, cheese, and ale.

The guild of St. Anne, in connection with the hermitage chapel, has already been mentioned. There was also a smaller guild called St. John's Guild, or 'Jesus Mass,' in St. Peter's Church, which had some small endowments.

## CHAPTER XII.

### A PICTURE OF THE TOWN A.D. 1300.

The Taxations of Edward I.: population; houses; furniture; valuables; grain—Clergy—Tradesmen—Craftsmen—Curious names—Distribution of population.

THERE are two Taxations of the town in the time of Edward I. still extant. A Taxation required a house-to-house visitation by sworn commissioners to inventory and appraise every man's possessions for the purpose of imposing a general property tax. The commissioners' returns give a list of the principal inhabitants and some insight into their mode of living. The first of these was in 1295. Its special interest is that it distinguishes the inhabitants of the borough and of its various liberties. The second Taxation of 1300 is the more searching. It gives a list of the inhabitants, indications of the kind of houses they lived in, distinguishes their trades, gives an inventory of their household goods and their stocks-in-trade; altogether it supplies us with a more complete and detailed view of the inhabitants of a borough town of that period than exists of any other town in England.

First, it would seem that since the similar census afforded by the Domesday Survey the town had not very largely increased. There are 390 persons named in the Taxation. This includes some very poor persons, like

Edward the shoemaker, whose goods and chattels were only valued at nineteen pence; Gold-atte-Helle at eighteen pence; Alice Maynard and Agnes la Regatere each at fifteen pence; but still it probably omits a certain number of labouring men who had no goods worth taxing. Allowing for these, and reckoning five to a family, we get a population in the town and liberties of two thousand and two or three hundreds, exactly the same which was estimated from the Domesday Survey to have been the population of the town and liberties in the time of the Conqueror.

In this Taxation the inhabitants of the borough and of the liberties are not given, as in the earlier one, in distinct lists; still it is not difficult to discriminate the people who lived in the country from the people who lived in the town. Some of them, indeed, are described: as R. Fitzwalter in his manor of Lexden; 'Dominus' William Fraunk, in his Wyke of Donyland; Adam Waldyngfeld, at Lexden 'in the Wyke which is called Arnodyne's Wyke'; in other cases we can identify the farmers by the number of cattle in their inventories.

The inventories are very complete, including every penny and personal ornament, every pot and pan in the house; the stock-in-trade of the tradesman and the tools of the artificer, down to the woodman's axe, the butcher's knife, the blacksmith's anvil, and the pound of wool which the good wife had on her distaff. What these inventories impress upon us more forcibly than anything else is the very homely simplicity of the times, the scanty furniture, the absence of personal ornaments, the small quantity of money in circulation, and the poor style of living.

fronting the street, and let them to shopkeeping tenants.

There is no mention in any case of the trestles and boards which formed the table, and the settle and two or three stools which we should expect to find in the 'house'; either they did not exist or they were not included in the valuation. The inventory always begins with the 'cash in hand,' which in most cases is *nil*, in all cases very small, while in some it is described as being capital in trade. It goes on to take account of the 'treasure'—that is, the articles in the precious metals. In several cases the inventory names a silver buckle (*firmaculum*), with which perhaps the burgher fastened the girdle round his tunic; still more frequently a silver ring, probably a seal ring with some device upon it, with which he affixed his signature to documents; few had more 'treasure' than a silver buckle and ring. Henry Pearson and Julius de Bery had each a gold buckle and gold ring and two silver spoons; Alice Prentice and one or two other persons had a gold ring and silver buckle; John Aylet had a gold ring and a silver cup. In several cases a *cyphum de mazer*, a bowl of walnut or maple wood, is included among the treasure, perhaps because it was silver-mounted. The valuers then went into the 'chamber'; there the bed is included in the inventory, and sometimes one *chalon*, a coverlet of some kind, and sometimes also two *linthe amentu*, two linen sheets. Then the articles of brass and iron are mentioned. Nearly every house has an *olla*, which may be taken to be a great brazen pot, and many have fire dogs, some a tripod by which the olla was hung over the fire on the hearth in the middle of the house, or

in a corner of the back-yard—for in those days the cooking was sometimes done in this primitive fashion. Many houses have a brass *patella*, which might be a dish on which to serve the food, or a plate from which to eat it, but that we know that the dishes and plates of that time were of wood, and it is therefore more likely that it was the griddle which is still used by primitive peoples on which to bake over the embers the thin rye and barley and oat cakes which form the staple of their food. In the inventory of J. de Geywood, the brass patella is expressly said to be for cooking cakes. Some houses have a brass *pocinet*, which was a kind of saucepan—still called a posnet in some parts of the country. It may be assumed that there were also usually some square wooden platters and wooden bowls and wooden spoons, which, like the tables and stools, do not appear in the inventory. There were no forks and few knives; Englishmen then used their fingers, as people do now in Eastern countries. Some of the tradesmen have vessels, probably of wood or earthenware, for the purposes of their trade, under the various names of *algea*, *cuva*, *cuvella*—thus we read '*cuveas*, *algeas*, *et alia utensilia pro officio tannere*,' and '1 *algea pro officio pistoris*.'

The inventory of nearly every house includes some quantity of grain of various kinds. In the earlier Taxation many more houses possessed some quantity of wheat; in the Taxation of 1300 only about half a dozen houses have any wheat; but rye is always present, and is first mentioned, from which it may be argued that the usual bread was of that inferior grain; many houses have barley, probably in many cases this was also a

breadstuff, but in some cases it is noted that the barley was malted, and therefore intended for brewing. Many have oats, used chiefly, no doubt, in the shape of oatmeal, but some notices of malted oats prove that a beverage was sometimes brewed from it. Proceeding to divide the inhabitants into classes, we place the clergy first. Since the clergy had the privilege of taxing themselves in their convocations a complete list of them is not to be expected; but this privilege applied only to their clerical benefices, and where they had private property besides it came under this general taxation, and accordingly we find some of the clergy of the town and liberties included here. The abbot of St. John's is taxed in his Wyk of Donyland, and again in his Wyk at Greenstead; the Prior of St. Botolph's in his Wyk of Donyland; the Master of St. Mary Magdalen's Hospital, and the leprous brethren, '*leprosi confratres sui*,' the Rector of St. Peter's and the Rector of St. Runwald's 'of their lay fee.' The names of R. de Porta (called in the earlier Taxation de la Porte) chaplain, 'Ricardus de Legra clericus,' 'Gilbertus clericus,' and 'Andrew clericus,'[1] help us to realise the existence of a number of clergymen in the town besides the rectors and vicars of the parishes. Also the name of 'Magister Johannes, Rector de Tendring,' appears in the list, but we must not hastily conclude that he was non-resident on his rectory, for he may have had a private estate here. The inventories of the abbey, of the priory, and of the rectors indicate a very moderate portion of wealth, and lead us to conclude that the monks

[1] There are also a J. le Clerk and W. le Clerk, but these were probably laymen. A W. de Clerk was returned to Parliament as burgess, 34 Edw. I. and 4 Ed. II.

and canons and rectors did not possess the means of living any other than the simple and homely life of their lay neighbours.

In the list of burgesses there are four *moliendarii*, millers; and we know that there were three mills on the river, besides the abbot's mill at Bourne Pond. In the inventory of Agnes Molendinaria are included *lapides pro molis manualibus* 4*s*.—stones for hand mills; so that the very primitive practice of grinding in stone querns was still in use here. There were five *pistores*, or bakers, and several shops also had *panis vendibilis*, that is bread for sale.

From millers and bakers it is natural to proceed to butchers: there are eight *carnifices*—one of them may have been the hangman of the borough, and another of the abbot; the inventory of nearly all includes items of stock-in-trade, which prove that they were merely dealers in animal flesh. The stock of carcasses in the inventory of some of them, and the value of the meat for sale in that of others, look at first sight as if the good burgesses of Colchester at the beginning of the fourteenth century consumed a fair quantity of butcher's meat. But when one finds that the stock in hand of most of them consisted chiefly of *sepum*, *pinguedo*, and *unctum*, which are probably venison (?), bacon, and lard, and that several of them have tubs for salting meat among the *utensilia* of their trade, one begins to suspect that the greater part of the stock-in-trade of the butchers was not fresh meat, but venison, mutton, and pork cured in various ways; in fact, the frugal burgesses of those days did not dine daily on sirloin and haunch, but added a slice of mutton ham or rasher of

pork ham, or piece of boiled bacon, to their rye bread and home-brewed ale.

John Ospede had two carcasses of oxen at 2*s.* each; William Proneale flesh of different kinds for sale, 30*s.*; *sepum*, *pinguedo*, and *unctum*, 40*s.*; 1 axe and 2 knives for the trade of butcher; 3 vats for salting flesh. The butchers of those times were usually among the wealthiest traders. William was one of the most wealthy tradesmen in the town, for his total valuation is 7*l.* 15*s.* 2*d.* William de Mulsham had meat on sale, 10*s.*; *sepum et pinguedo*, 3*s.* 4*d.*; tubs for salting meat, 7*d.* The butchers generally have meat for sale, venison (?), bacon, an axe and a knife for their trade.

Henry P'son (? Pearson), also a butcher, was another of the wealthiest men in Colchester, and indulged in the vanities of a gold buckle and gold ring. It is worth while to give his valuation entire; he had

1 gold buckle 14*d.*, and gold ring 12*d.*, 2 silver spoons 16*d.*, a cup 14*d.*, 2 gowns 10*s.*, 1 mappa and 2 towels 2*s.* 6*d.*, 2 beds 5*s.*, 1 *mantell* ½ mark, 1 brass *olla* 2*s.*, 1 brass dish 22*d.*, a (*lotor cum pelvi*) washing basin and ewer 14*d.*, 2 qr. barley at 3*s.*, 3 qr. oats at 2*s.*, 1 ox carcass 4*s.*, 3 carcasses (*muttonum*) of sheep 2*s.*, 2 pigs 4*s.*, *sepum* 2*s.*, *pinguedo* 2*s.*, 1 piece Russet cloth 9*s.*, 3 lb. wool 3*s.*, 2 horses 1 mark, hay 2*s.*, 1 cart 4*s.*, wood and faggots 2*s.*, 2 barrels 9*d.*, *cuvas algeas et cuvell'*, 2*s.* 2*d.*, 1 trivet, 1 andiron, 1 candlestick 12*d.* Total 5*l.* 3*s.* 1*d.*

The supply of food to be derived from the neighbouring river was not neglected. Indeed, the common observance of fasting in Lent and on Fridays and other days commanded by the Church made it more a necessary of life than in these days, when it is chiefly

regarded as a luxury. This will account for the large proportion of fishers in the town. J. Downing had fishing nets valued at 5*s.*; Simon Lyger had 4*s.* worth; S. Lyger, J. Downing, and his brother Geoffrey Downing, were joint owners of a boat valued at 7*s.* 6*d.* Adam le Sheperde, sailor (a curious discrepancy between name and trade), had 1*s.* 6*d.* worth of nets; Sahs Tuttoy, fisherman, had 1 *cyvera* (sieve) for his trade, and Alex. atte Delve, sailor, had an old boat, valued at 2*s.*, 1 *dragge ad cap' ostrea* (one dragge for taking oysters) 6*d.* Thomas Cocus had a stock of fish on hand, whose large value (*in pisce* 3*s.*) indicates that part of it at least was cured fish. There are five people designated *Nauta* (sailor), some of whom are described as having boats and others as having fishing-nets; and there are three or four boats described as *cum atilio*, with their rigging, as if they were masted and rigged; in short, sea-going vessels.

There were two *epiciers*, spicers—or grocers as we should call them—one cook, and one confectioner, forJ. Geywood has a *patellam eneam pro artocopa coquenda*, a brass plate for cooking *artocopa* (or spiced bread).[1] He was a well-to-do man, for he had money in hand one mark, a silver buckle and ring worth 2*s.*, two gowns worth a mark, and was altogether valued at 3*l.* 3*s.* 5*d.*

Lastly, there were two dealers in wine, of whom J. Colyne had one *dolium* of wine valued at 40*s.*, and Henry de Leycester one pipe of wine valued at two marks, which he received of Ralph de Herewyck for sale; and there was a question which of the two ought to pay the tax on it, which the Colchester commissioners refer to the decision of the exchequer of their lord the king.

[1] Maigne D'Arnis's *Lexicon.*

Tanning seems to have been the most important trade of the town; there are thirteen tanners, besides Eadmund, *Pelliparius*—or furrier—and W. Way, who pays tax on 8*s*.-worth of sheepskins, and was therefore probably a fellmonger; and the tanners are among the wealthiest tradespeople of the town. Picking out those whose valuation amounts to 3*l*., three of them are tanners; Henry Pakeman, whose valuation is the largest, 9*l*. 17*s*. 10*d*., seems to have been the wealthiest of them all. In connexion with these are the shoemakers, of whom there are no less than fifteen; their stock-in-trade is *corium et sutulares*, leather and shoes. It would seem as if Colchester were the Northampton of those days; at least its tanners and its shoemakers must have supplied the whole country round. There are seven weavers, four fullers, four dyers, and one woolcomber.

There are ten smiths, whose stock-in-trade in hammers and anvil and other implements, and iron, is valued in different cases at 18*d*., 3*s*., 5*s*., 7*s*., 10*s*., 20*s*. Of these J. de Columb is the wealthiest; he is valued at 3*l*., though his implements are only valued at 8*s*., and his stock of iron at 2*s*.

There are five carpenters, of whom W. Dumberel's tools are described as one axe called a brodex (broad axe), another axe, one adze, one *instrumentum quod dictum Squire*, probably a set-square, and one *navegor* (?). There are one wheelwright, one cooper, and one potter.

Of shopkeepers the mercers are the most numerous; there are fourteen of them, and some of them among the wealthiest inhabitants of the town and liberties. John Edward, valued at 5*l*. 9*s*. 3*d*., Robert Wyston at

4*l.* 1*s.* 11*d.*, and William Gray at 4*l.* 0*s.* 4*d.*, were the most fashionable mercers of the town. The inventory of the stock-in-trade of the mercers is nearly always the same: gloves, belts, leather purses, needle-cases, and other small ware. John Edward's stock is more extensive; it consists of one piece of cloth, 7*s.*; *cerano* (?), 5*s.*; silk and sindon, 20*s.*; flannel and silk purses, 23*s.*; gloves, leather girdles, and needle-cases, half a mark; other small ware in mercery, 3*s.* W. de Estorpe and W. de Saaham add to the usual stock of mercery *viridegretum et vivum argentum*, or verdigris (?) and quicksilver. There are also two called Lyndrap, whose inventory shows that they take their name from their trade. Simon le Gerdlere was probably a maker of the zones which the mercers sold; he had on sale new girdles to the value of 12*d.* Walter le Palmer had *piper* (pepper), *crocūm* (?), *gingiber* (ginger), *sem. fenicul.* (fennel seed ?) 2*s.*

There are three tailors, two embroiderers, whose chief manufacture is indicated by the stock-in-trade of one of them consisting of fur and lambskins, and of the other of white leather and gloves. W. Oldegate in this taxation had only half a mark's worth of white wool, for use in his trade, but in the earlier taxation he pays on white leather and gloves 18*s.*, and we therefore put him down as a glover. Christina la Glovere was also no doubt a maker of gloves.

Robert le Mustarder's stock-in-trade was, in mustard-seed and vinegar 4*s.*, *in sepo* and *cotun* 10*s.*, in two hand-mills with which to grind his mustard 2*s.* 4*d.* He was a fairly well-to-do man with ready money two marks, a gown 5*s.*, a bed 3*s.*, an old brass pot 1*s.* 6*d.*, and was valued altogether at 2*l.* 12*s.* 6*d.*

There were two barbers. William le Barbour was in a very small way of business, but Walter le Barbour was a wealthy man, one of the wealthiest in the town, having in money, 20*s.*; two gowns, 10*s.*; two beds, 5*s.*; one towel and two napkins, 2*s.*; a brass pot, 2*s.*; a brass posnet, 11*d.*, and a brass *patella*, 14*d.*; half a quarter of malted barley, one quarter malted oats; one horse of burden, 3*s.*; one pig; hay, 2*s.*; faggots, 2*s.*; timber, 4*s.*; two barrels, 9*d.*; vessels for brewing, 17*d.*; one andiron, one chandelier, and one tripod; and is valued altogether at 3*l.* 4*s.* 4*d.*; we might have thought that his surname was not taken from his calling, but that we have also an entry of basins for his trade of barber, 3*s.* 6*d.* A brass seal of J. le Barbour was found in Colchester years ago, with the device of a basin and lancet (of the old-fashioned shape still used by veterinary surgeons and called a fleam), which reminds us that our well-to-do Walter the Barbour was a barber-chirurgeon—in fact, the surgeon of the town—who bled people generally every spring and fall, and whenever else the depletory practice of the times required it, and who could set a broken limb and salve a wound. Medicine, indeed, he left to the master of the Magdalen Hospital; though every lady knew something of the use of simples and of the treatment of the commoner ailments.

The remaining craftsmen and dealers who can be identified are two *tabernars*, probably taverners or tavern-keepers. Alex. Tabernar is taxed on 3*l.* 4*s.* 11*d.* That Robert le Verrer takes his name from his trade is proved by the item in his inventory, *vitrum* 4*s.* His valuation, 3*l.* 19*s.* 1*d.*, shows that he was well off, and suggests

that he may have been an artist or a dealer in painted glass. Another Henry le Verrer has nothing besides his name to indicate his trade. Robert Lorimer dealt, as his name indicates, in horse furniture; though William Potter is not a potter but a baker by trade. Thomas le Herd was possibly the official herdsman who controlled the pasturage of the cattle of the burgesses on the common lands. Sim. *Carectar*, or Carter, whose stock-in-trade is two worn horses and an old cart, Alex *Tigulator*, or Tiler, W. le Bowyere, who pays tax on 2*s.*-worth of bowstaves, J. le Warrener, and Robert le Woodhewere may have followed the occupations which their names indicate. We assume William le Mazun to have been a mason by trade, Margery le Chalonere a maker of *chalons*, or dragnets, Gilbert le Tasselere and Matilda la Tasselere makers of fringe and tassels. Agnes la Ragatere kept a little general shop. Gerard le Chaucer had shoes and hoods on sale—the venerable name of Chaucer means a dealer in things made of leather.

There are some names worth noting as curious; *e.g.* Thomas Bysouthe and Agnes Bynorthe. Chichilia Shrubbestre indicates that Cecilia was pronounced as an Italian name. The name of William *Supra Murum* is found also in its English form, 'Upo' the Wall,' in the Court Rolls. William Pentecost also appears in the Court Rolls. Bullockeswelle, Tubbe, Dot, Nicholas atte Piggestye are curious names, and it should be noted that the latter has no pigs in his inventory.

From the fact that most of the sailors come nearly together in the inventory, it may be inferred that the commissioners for the taxation made a house-to-house

visitation, and entered people in their lists according to their locality. But if that be the case people in the same trade did not in Colchester live together, as they did in some towns, the tanners in one street and the weavers in another, and the butchers in the butchery. At the weekly market, however, there is some evidence that the tradesmen's stalls in the market-place were thus classified and arranged according to their trades.

## CHAPTER XIII.

### THE JEWRY OF COLCHESTER.

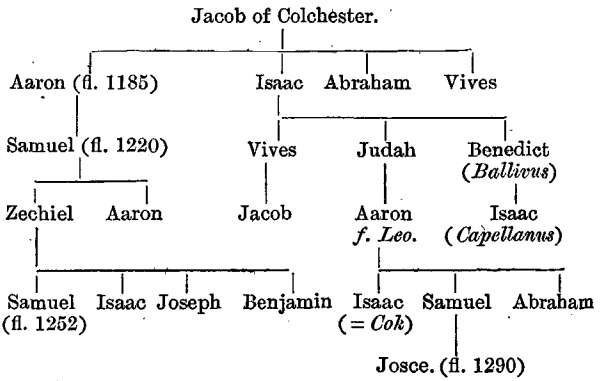
Earliest mention of Jews in Colchester—Their Jewry in Stockwell Street—Anecdote of infringing the Forest Laws—Expulsion from the kingdom.

THE communities of mediæval times were subdivided into classes, with strongly marked characteristics, to a far greater extent than is the case in our state of civilization. Within the borough and liberties of Colchester, for example, were the constable and his officers and men-at-arms in the castle; the monks of St. John's, the canons of St. Botolph's, the crutched friars of St. Helen's, the lepers in their hospital—all in the suburbs on the south of the town; the Franciscans in their house on the east hill; all strikingly different from one another, and from the general mass of the burgesses. And the burgesses themselves were no doubt divided into their several trade guilds, though no record of those guilds has come down to us. And just as the butcher is still known by his blue blouse, and the gardener by his green apron, the men of different occupations—the fullers, the weavers, the butchers, the carpenters, and all the rest of the tradesmen who are named in the taxations of Edward I.—were known by differences in their dress. Every guild had its '*livery*' distinctive.

To these various sections of the community we have to add another element of this complex society, a little group of nine families, or about fifty souls, having their own religion and laws and separate jurisdiction, a group of some importance and of great interest in this mediæval society, viz. the Jews of Colchester, who had their Jewry and synagogue in Stockwell Street.

How early the borough included this Jewish element we do not certainly know. Possibly there were some Jews in England before the Norman Conquest, but it is certain that after that event, under the protection of the Norman kings, their services as capitalists and financiers were useful to the Crown. Christians were forbidden by the canon law to practise usury—which meant to take interest for the loan of money—and this lucrative branch of commerce therefore fell into the hands of the Jews, whose law allowed them to take usury from Gentiles.

Soon after the Conquest we find the Jews settled in a few of the great towns of the kingdom, but their numbers outside London were checked by the regulation that all their dead should be buried in their graveyard in London. When this restriction was removed in 1177 they spread into many of the principal towns, and it is almost immediately after this date that we find the first record of the presence of Jews in Colchester. In 1185 Benedict of Norwich paid a heavy fine (40*l.* 13*s.* 4*d.*) for (among other things) selling chattels without licence to Joce (=Josee=Joseph) of York, and to Aaron, Isaac, and Abraham of Colchester. These were probably three brothers, whose descendants can be traced through the subsequent history of the Colchester Jewry, as is shown in the following genealogy :—

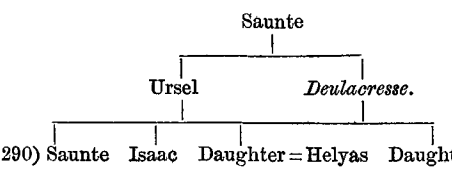



That the Colchester Jews were wealthy at an early period is indicated by the fact that they contributed 41*l.* 7*s.* towards the tallage of 5,000 marks laid on the Jews of England for the ransom of Richard I.; their numbers and contribution place them at this time ninth in the list of towns where Jewries existed. Whether the Colchester Jews escaped the terrible outrages which were committed on their brethren in other towns in 1189–90 we do not know; no mention is made of an outbreak at Colchester by the historians; but in a roll of the King's Bench for 6 Richard I. William, Godfrey, and Gilbert, sons of Peter of Mellinghand, are required to renew their pledges to appear at Westminster to answer a charge about the death of Colchester Jews[1] which may possibly refer to such an event here.

Henceforth Colchester Jews occur in the records with considerable frequency; Isaac of Colchester, the second of the three brothers before named, being espe-

[1] Edit. Palgrave, pp. 15, 16.

cially prominent in the early years of the century. In 1220 mention is made of a bailiff of the Jews named Benedict, who was probably the son of this Isaac; the duty of the bailiff was probably to collect the tallages which the king laid upon the Jews. In the gathering of representatives of the great Jewries which Henry III. summoned to Worcester in 1250, chiefly for the purpose of adjusting their tallages, which is sometimes called a 'Jewish Parliament,' the representatives of the Colchester Jews were members of the family whose genealogy has been given above, together with Arcel (Ursel) of Colchester, who plays henceforth a leading part among the Jews of this town, and whose family can be traced in three generations, as under:—




A Hebrew Shetar (or agreement) of 1252, between the sons of Jechiel, son of Samuel, transcribed in 1586 on the flyleaf of a Chaldee dictionary by William Bedwell, one of the Translators of the Authorized Version of the Bible, gives us the information that the Colchester Jewry was in Stockwell Street; from the Patent Rolls of 1291 it appears that it consisted of nine houses and a synagogue (schola).

In 1267 an incident occurred here which, as described in the Forest Roll of Essex ten years later, gives one of the few glimpses afforded by the records of the inner life and social relations of the Jews at this period.

The entry in the Forest Roll records an offence against the forest laws committed by certain Jews and Christians of Colchester, with the proceedings against them.

The record states that on December 7 in that year a doe, started in the woods of Wildenhay by the dogs of Sir John de Burgh, the younger (the castle was then in the custody of Hubert de Burgh), fled past the top of the city of Colchester towards the woods on the other side of the city. Some of the inhabitants of Colchester issued from the city, and so worried her by their shouting that she ran in at the double gate, and finally leaped over the wall and brake her neck. The people who indulged in this amusement included some young Jews, viz. Saunte, son of Ursel; Cok and Samuel, sons of Aaron; Isaac the Jewish chaplain; Copin and Elias, Jews; and also some Christians, viz. William Scott, Henry the Gutter, Henry the Toller, and others. There came upon them Walter the Goldsmith, bailiff, and Robert the Toller, beadle of the city, and others, and carried the game off and did what they pleased with it. Whereupon the forest authorities proceed against them, and they are imprisoned and fined, and at length liberated on finding security for the payment of their fines—and we find Christians becoming surety for Jews, and Jews for Christians. The story throws a good deal of light on the condition of the mediæval Jews. First, we note the 'Capellanus Judæus' which is paralleled by a 'Sampson le Chapelayn,' who was among the Jews expelled from Canterbury in 1290. The term probably designates the *Chasan* or Cantor of the congregation. Next we note that Jews and Christians seem to have joined together in the chasing of the doe in a way which indicates that

Jews were not afraid to mix in the boisterous sport of the times, and that Jews and Christians had more freedom of social intercourse than is commonly supposed. Lastly, we have to note that the scribe who entered the record in the Forest Roll has amused himself by sketching on the margin a half-length portrait of a man in gown and hood, with Jewish features, with the superscription, *Aaron fil Diaboli.* It is the earliest contemporary drawing of a Jew, and is especially interesting because it represents sewn on the right breast of the gown the patch of cloth which a decree of the Lateran Council of 1215, adopted here in 1274, required as a distinctive badge of a Jew. The Statutes of Edward I. 'de la Jeuerie' required both male and female Jews over the age of seven to wear a yellow badge 'en fourme de deus tables joyntes'; the form popularly given to the statutes of the law.

In Henry III.'s grant of Colchester Castle to Guy of Rochfort, mentioned in a preceding chapter, there is a clause by which the king reserves to himself the Jewry of the town, and liberty for the sheriffs to enter the town and hundred to distrain for the debts of the Jews as they used to do. For the Jews were the men of the king, who protected them from others, and his own relations with them were not of the capricious character which some popular stories would imply. There were special judges appointed to deal with the affairs of the Jews; all their agreements were committed to writing, and a duplicate was enrolled in the Jewish Exchequer on penalty of forfeiture of the sum in question. And though the king derived large sums from them it was done in a regular way: the Jews of the country were

required to pay a certain sum, and this sum was by their own officers apportioned between the several Jewries, and between the individual members of each Jewry, as in the case of Richard I.'s ransom above mentioned. This was the reason why the Jews do not appear enrolled in the census of the Taxations of Edward I. They were exempt from the general taxation because they were taxed through a different machinery.

But in the gradual process of the settlement of a regular system of taxes and customs, the relation of the Jews to the king on one side and the nation on the other grew more and more unpopular. It was seen that large sums of the money which the king squeezed out of the Jews had been first taken by them out of the pockets of the king's native subjects; and that the money which the Jews obtained was not only by a process obnoxious to the feeling against usury, but was often wrung at unfair advantage out of the necessities of their clients. It was recognised also that the king's power of obtaining large sums of money from the Jews tended to make him more independent of the people. The growing political sense of the nation, therefore, combined with the dislike of usury and the religious prejudice against the Jews to set the nation against them. S. Lewis in 1252 expelled them from France. In England Simon Montfort persecuted them. Grossetête advised their banishment. The condition of the Jews was felt to be discreditable to the nation. The Parliament was opposed to them. Edward I. disliked them; an early statute of his reign forbade usury, with special reference to the Jews; in his fifteenth year the Jews were imprisoned; and three years after (1290) they

were banished, with leave to carry away their movable property, but their lands and houses were forfeited to the crown.

The Jews of Colchester were of course included in the general misfortune which had overtaken their race. And so these men and women and children with their Oriental features and the yellow badge upon the breast of their 'Jewish gaberdines' were no more seen in street and market place, and needy Essex knights and convents who wanted loans on the security of their lands, and burgesses who required capital to lay out on their stock of goods at the annual fairs, no longer frequented the Jewry in Stockwell Street and put their seals to Hebrew Starrs, to be enrolled in the Jewish Exchequer.

In the grants of the Jews' houses enrolled in the Patent Rolls of the following year nine houses and one synagogue (schola) are recorded to have escheated to the king at Colchester. Among the names of the Colchester Jews whose houses were thus dealt with are Josce fil. Samuel, Sante and Elie who were mentioned in the Forest Roll, and one with the curious name of Pegge fil. Dubrie. The total rentals amount to 35*s.* 6*d.*, and we learn elsewhere that these were capitalized and sold for the king for 34*l.* 13*s.* 4*d.* The value and extent of the Colchester Jewry make it about seventh in comparative importance among the Jewries of England at the term of the expulsion.

## CHAPTER XIV.

### MEDIÆVAL HISTORY—*continued.*

The Wool Hall—Attack on privilege of the Fishery—Rising of the Commons—Conspiracy against Henry IV.—Building of Abbey-gate—Attack on the Fishery—Burning of a Heretic.

THE increased prosperity of the woollen manufacture in the eastern counties which followed the settlement of Flemish weavers on the eastern coasts by Edward III. probably extended to Colchester, and may account for the fact, which is recorded in the Borough Record, that in 1373 William Reyne and John Clerk, the bailiffs, had the under-croft beneath the old Norman Moot Hall converted into a Wool Hall for the convenience of the dealers in that great staple of English commerce in the fourteenth century. At the same time they added a sumptuous porch with a vault overhanging the entrance to the Moot Hall, and some shops with solars over them.

The following year was a time of great anxiety to the bailiffs and burgesses. Lionel of Bradenham, lord of the manor of Langenhoo, infringed one of the most valuable of the possessions of the borough by claiming rights in those portions of the river Colne which adjoined his manor. The corporation defended its rights, and a commission being granted by the Crown to Robert of

Herte, the high admiral, and a jury to enquire, they decided in favour of the corporation. The borough thus made a bitter enemy of its powerful neighbour. He lined the approaches to Colchester with armed ruffians who for three months kept the burgesses in alarm by their outrages. At last he tried to set fire to the town. The law at length proved too strong for the lawless knight; his estates were forfeited, and his life only saved by a royal pardon.

There are not sufficient data from which to gather the amount of the river trade of the town in those times, but it was of sufficient importance to be called upon to furnish five ships and one hundred and seventy mariners towards the great fleet which Edward III. collected in 1347 for the blockade of Calais. When the king returned from France with many prisoners, he paid the town the compliment of committing some of them to the custody of its bailiffs. The rejoicing of the town over the French victories was, however, turned into mourning by two visitations of the Plague, which carried off numbers of its inhabitants.

A poll-tax made in 1377 enables us to institute a comparison among the towns of England, and we find that Colchester stands twelfth in order of populousness. London heads the list with an estimated population—adding one third for those who were not taxable—of 35,000 inhabitants; after which come York 11,000, Bristol 9,500, Plymouth and Coventry each 7,000, Norwich 6,000, Lincoln a little over 5,000, Salisbury nearly 5,000, Lynn 4,700, and Colchester 4,500.

In the rising of the Commons in 1381, the men of Essex took a large and prominent part. Of the several

Walter Tylers named by the various authorities, it was Wat Tyler of Essex who negotiated with King Richard in person and was killed by Sir William Walworth. John Ball, another of the leaders of the movement, though a chantry priest of York, was preaching rebellion in Essex as early as 1366, and after the defeat of the movement sought refuge in Colchester. The men of Colchester, however, were not involved in the rebellion: for when the rebels gathered together again, and made head at Billericay, they came to Colchester, and endeavoured by persuasion and by threats to induce the burgesses to espouse their cause without success; and among the leaders of the movement who were afterwards taken and executed there are no Colchester men named.

In the events which brought about the downfall of Richard II. Colchester had no share. Essex was strongly in favour of the deposed king, and the neighbourhood about Colchester became a centre of the insurrectionary movements which disturbed the beginning of the reign of Henry IV. The Countess of Oxford, mother of the late Robert de Vere, the favourite of Richard, had her chief castle at Headingham, and large estates and great influence in the eastern counties. Several of the religious houses of Essex had warmly espoused the cause of Richard. The story that Richard still lived had been industriously propagated and was widely credited; and many were prepared to rise in his favour if a favourable opportunity should occur. The opponents of Henry sought to create this opportunity by negotiating with the Duke of Orleans and the Count of St. Pol to send Queen Isabella and a French force to land in the eastern

counties, when the adherents of Richard there would rally round this nucleus of an army.

Geoffrey Story was Abbot of St. John's at this time, and there are fragments of history which seem to indicate that he was a bold and turbulent kind of man. In November 1398 the Hilary leet-jury presented him for that he, with twelve horsemen, armed with habergeons and bows and arrows and other arms, rode from the abbey on the Saturday after the Feast of St. Lawrence, to the Balkern Fields opposite Colkyng's Castle, to the terror of the people and disturbance of the public peace. In the following year he had some dispute with the Prior of Snape in Suffolk; the prior appealed to the pope and the abbot to the king. Orders were issued, dated May 3 and July 2, 1403, for the prior's arrest, and Abbot Geoffrey despatched a party of four monks, one of his chaplains, and others, to execute the warrant. The prior had warning and kept close within the priory walls, but the abbot's men broke into the prior's house, seized his goods, burned his crops, carried off his cattle, plundered his fishponds, and lay in wait for him outside the priory for a month. We learn these particulars from proceedings taken against the abbot in the King's Bench.

This Geoffrey seems to have taken a leading part in the conspiracy against Henry IV. He took the precaution to send a special messenger to Scotland to ascertain the truth of the story that Richard was still alive and in that country, and when the messenger returned with the assurance that Richard still lived, the abbot entered heartily into the plot. Philip FitzEustace, Prior of St. Botolph's, was of the same mind as his

neighbour the abbot; and Thomas Cook, Abbot of Bileigh, near Malden, and Thomas, Abbot of Chich St. Osyth, were also involved in the conspiracy. It was industriously circulated in whispers that the French expedition with Queen Isabella would land at Ipswich on December 28 (1403). Badges of the White Hart were distributed to those engaged in the conspiracy, to be worn as soon as the signal should be given. Christmas passed, but the French did not come. Still the hopes of the plotters were kept alive through the following spring. But John Staunton, a servant of the Countess of Oxford, and some of the monks of Colchester, gave information to the authorities of what was going on. The chiefs of the conspiracy were warned in time, and fled. On June 11, 1404, an inquiry was opened at Colchester by Sir William Coggeshall and other justices of the peace and a jury, when it appeared that most of the persons accused had surrendered, but that the Abbots of Colchester and Bileigh were still at large. Again, on August 25, another commission was opened at Colchester, presided over by Sir Bartholomew Bourchier, Sir William Coggeshall, Elming Leget, and a jury, before which time the Abbot of Colchester had surrendered. All this we learn from the record of the inquisition.

The Records of the Colchester Corporation have some entries bearing on the subject. There is an entry of the arrest in Lent of 6 Henry IV. of Geoffrey Story, Abbot of St. John's, and John Herd, one of his monks, on certain articles of treason against the king. It tells us that the abbot, being ill at the time, was carried on a chair from his chamber to the Moot Hall by John Cowman his servant, and John Skot, servant of

the sheriff, and there imprisoned for five weeks, and afterwards taken to the Castle of Nottingham. William Denton, another of the monks, was taken to the town prison, and there loaded with great iron chains.

At the second commission, opened at Colchester on August 25, presided over by Sir Bartholomew Bourchier, Abbot Geoffrey and the other Essex conspirators were put on their trial. There is no record of the result of these proceedings; but we have seen above that Abbot Geoffrey was sent to Nottingham Castle, and we know from other sources that Roger Best succeeded to the abbacy in the same year, and we may safely infer the condemnation and deprivation of Geoffrey. The Countess of Oxford sued for pardon and was pardoned, and after a while her property was restored to her. The conspiracy had no chance of success. At the very time that the Essex men were expecting Isabella in the Orwell to liberate Richard, she was being contracted in marriage as the widow of Richard to the son of the Duke of Orleans. The belief in Richard's survival soon died away. The renewal of the French wars gave another turn to the public interest, and the nation accepted Henry as its king.

About the 4th or 5th year of Henry V., Roger Best, Abbot of St. John's, is presented by the leet-jury for having appropriated a piece of land by the king's highway and built a stone tower upon it for the defence of the abbey. This is probably the abbey gateway, which still stands, and gives us its date as about A.D. 1417.

There is no record that the town took any part in the Wars of the Roses, but it may perhaps be inferred

that its sympathies were with the House of York, for Henry VI. deprived the borough of its most valuable privilege, the Fishery of the Colne, and bestowed it upon his favourite John de Vere, Earl of Oxford. The corporation however appealed to the law, and a commission of two justices and a jury decided in favour of the ancient rights of the borough, and the earl's letters-patent were recalled and cancelled. On the other hand, when Edward IV. came to the throne, he granted the borough the fullest charter it has ever had before or since. From an entry in one of the borough records the bare fact appears that this king visited Colchester August 5, 1455, but there is nothing to indicate the object of this first royal visit since King John. There is in another of the corporation records an account of the burning of a heretic in 7 Henry VI. which has escaped the notice of the historians, and which contains some details of procedure which make it worth while to give it at length.

The martyr was William Chevelyng, of Colchester, tailor. No particulars of his heretical opinions are given, and the whole story has escaped the researches of Foxe, who however has the name in his 'Acts and Monuments,' among those who fled from a persecution in Kent in the year 1416; 'what afterwards happened to them,' says Foxe, 'in the register doth not appear, but like it is at length they were forced to submit themselves.'

It is probable however that Chevelyng took refuge for a time at Colchester, only to add some twelve years to his life, and then to die a martyr's death. The record itself tells all I have been able to find on the subject: 'Memorandum that on Wednesday, in the vigil of the

apostles Simon and Jude, in the time of John Beche and Robert Selby, bailiffs of Colchester, in the seventh year of King Henry VI., one William Chevelyng of Colchester, tailor, was condemned for heresy, before Master David Price, Vicar in Spirituals of the venerable Lord William, Lord Bishop of London, in the church of St. Nicholas, Colchester; and for that cause he was committed to the custody of the bailiffs, by whose order he was carried to the Moot-hall, and there detained in prison. Whereupon the said bailiffs sent to the chancery of our Lord the King for a certain writ for the burning of the said William, which same writ follows in these words: [The writ is quoted *in extenso*, and the document continues]: By virtue of which writ of our said Lord the King to the said bailiffs directed, the said William Chevelyng, heretic, was burned at Colking's Castle, before the tower there, the Thursday next after the Feast of All Saints in the year aforesaid.'

John Elys, by his will, dated 1485, directed three images to be made and placed upon the east gate of Colchester (his house was in East Street), of St. Helen in the middle, and of St. Margaret (his wife's name saint), and of St. John (his own name saint). Another indication of the 'special devotion' of the borough to St. Helen.

In 1516 the town received another royal visit. Queen Katharine of Aragon passed through and rested here one night with a great retinue on her pilgrimage to Our Lady of Walsingham. The officers of the corporation and burgesses met her at Lexden, and conducted her in great state to St. John's Abbey, where she lodged, and next day attended her again to the further

boundary of the liberties of the Borough on the north road, and presented her with a purse containing forty pounds.

For the contemplated French war in 1544 King Henry VIII. required of the borough fifteen able footmen, whereof three were to be archers, each furnished with a good bow in a case, and twenty-four arrows in a case, and a good sword and dagger; the rest to be billmen having besides their bill a good sword and dagger, 'clothed in coats and hosen of the colours appointed for the battle of our army.' This king was in some respects a benefactor to the town, for he granted to the corporation the king's wood north of the Colne, as will be more fully stated in the municipal history. In the year 1535, on the marriage of Henry to Anne Boleyn, an oath of allegiance to them and their heirs was imposed. The oath book of the corporation contains a list of the Colchester men who took the new oath; there are 1,136 of them, carefully arranged, every parish and every religious house having its separate list. For purposes of local history the three lists afforded by Domesday, the taxations of Edward I., and this oath list of Henry VIII. are of considerable value. The names of the burgesses of Domesday clave to their acres and recur frequently in the title-deeds of after ages. The names of the taxation rolls compared with one another and with the court rolls of the borough are full of curious interest. The oath roll of Henry VIII. gives a census of the town at that period. The three afford a means of comparing the state of the town with some detail at the three periods of its history

## CHAPTER XV.

### MUNICIPAL GOVERNMENT.

The *Communis Burgensium* of Domesday; Origin of charters; the charter of Richard I.; of Edward II.; of Henry VI.; of Edward IV.; the second of Charles I.—The Moot-hall—The officials of the corporation—The corporate property—Repair of the walls—Picture of the town at the end of the fifteenth century.

In the Domesday Survey of the town we have seen there is clear evidence of a *Communis Burgensium*, a corporate society of the burgesses, which holds certain lands in common use, and has compounded with the king, as lord of the manor, for the customs to be paid by the king's burgesses, and which holds the ferm of the king's lands, rights, and customs in Colchester, and has compounded with the king, as king, for the military service of its members.

The Hundred Court of Colchester in these earliest times had jurisdiction over all sorts and conditions of men within the borough and liberties; but the freemen must have had meetings of their own for discussing their own affairs, as for allotting and collecting the quota of the members to the payment of the king's ferm, making and carrying out the regulations for the allotment of the Lammas lands for half the year and depasturing them for the other half, and such-like

matters which affected the freemen only. This corporate society must have had officers of its own election, to preside over its meetings.

It is very probable that the bailiffs recognised in the charters of subsequent times were the successors of these presiding officers. It must also have had some executive officers to see to the execution of the measures agreed upon in their consultative meetings, as one to summon meetings, who was, perhaps, the *Monitor* mentioned in Domesday; others to see that only the proper number of cattle was turned out by each freeman on the common lands, and to watch over them and impound stray cattle, these are perhaps the *Herdes* whom we find in the Taxations of Edward I. and in the Court Rolls; another to collect from each his proportionate share of payment to the king's ferm, and to the composition for service in the fyrd—the predecessor of the receivers or treasurer of the later charters.

Here we have the germ of the municipal institutions which it is the business of this chapter briefly to sketch.

The granting of charters to towns was begun by William the Conqueror, and the earliest granted was to London, and seems to be nothing more than a formal recognition and legalization of its existing customs and immunities; and this was the character of the very few charters which were granted to towns in the Norman period.

Richard in the early years of his reign raised money for the Crusade by granting numerous charters and conferring new privileges and immunities, and charters continued to be given freely in his reign and that of his

successor John. The right of choosing their own reeve is one of the most important additional concessions to be found in some of Richard's charters and in many of those of John. The privileges usually granted by the Norman kings were exemption from the Norman innovation of trial by battle, immunity from tolls either throughout the shire or throughout the realm, the election of their own magistrates, the independent exercise of jurisdiction in their own courts and by their own customs, protection from being forced by a stranger to appear in the courts of law except through the agency of their own magistrates. Different towns obtained more or less of freedom, privilege, and self-government, according to their wealth and importance; and there were certain charters which served as standard charters of different degrees of municipal privilege; one town would obtain by influence and purchase the same privileges as London or Winchester, another of smaller influence would only obtain the privileges of Oxford or Norwich.

It is difficult in these days to appreciate the value of a charter to the burgesses of a mediæval town. They were protected by it from all the manifold tyrannies and oppressions of the feudal system; they elected their own magistrates, who exercised both civil and criminal jurisdiction, and they could not be brought before any other court without the consent of their own magistrates. They negotiated directly with the officers of the Exchequer the amount which their community should contribute to the royal aids, and assessed it equably among themselves. They had large powers for the regulation of trade among themselves and for its

protection against others. In short, a chartered town was a sort of free and self-governing republic amidst the feudal institutions of the kingdom; and every freeman of such a town, though individually of humble station and no great wealth, yet was a member of a body which, more or less, according to its wealth and power, commanded respect for its members among the magnates of the land.

It is only necessary here to give an account of the earlier charters granted to Colchester, and to note some features of special interest in them.

From the latter part of the charter of Richard I. it appears that already, in the time of Henry II., the burgesses had set forth on oath their ancient rights, liberties, and customs, before the king's itinerant justices, who had confirmed them in their possession.

The first charter is of the first year of Richard I., dated Dec. 6, 1189. He grants and confirms to his burgesses of Colchester liberty to choose their own bailiffs, and a justice to hold pleas of the Crown, and to plead them within their own burgh; to be free from scot and lot, danegeld, and fine for murder. When summoned before the justices itinerant they might clear themselves by the oath of four creditable men of the burgh, and not be required to clear themselves by duel. None of the royal household, or any other, could be lodged by force or by the marshal's appointment within the walls. The burgesses were exempted all over England and at the seaports from toll, lastage, passage, pontage, and all other dues at all times and in all places. None of the burgesses was to be fined excessively, but each

only according to his *wer*, viz. 100 shillings, in his hundred court or in any other place within the walls of the burgh, and for that fine he shall be amerced by the oath of the burgesses, and there shall be no further fine for shifting the plea.[1] They were to have all their lands, debts, and securities whoever owed them. If any took toll or custom from them, the burgesses of Colchester were to take as much from that city, burgh, or town; any debtor of a burgess was to pay, or prove at Colchester that he ought not to pay; and if he refused, the burgesses should take a distress on the county to which the debtor belonged. Also the king granted that no forester should have power to molest any man within the liberty, but all the burgesses might hunt, within the liberty of Colchester, the fox, the hare, and the cat. And they should have their fishery from the North Bridge as far as Westnesse; and from North Bridge to Westnesse (whoever possessed the lands adjoining) the said burgesses should have the customs of the water and the banks on both sides, to enable them to pay their fee farm, as they enjoyed them in the time of King Richard's father and grandfather. And that Colchester market should not be hindered by any other market, but that its markets and customs should remain in the same state as when they were confirmed upon

[1] 'Et nullus Burgensium judicetur de misericordia pecunie, nisi ad suam guerram (wer) sc. centum solidos, in Hundredo suo vel quolibet alio placito infra muros burgi; et de illa misericordia sit afforatus juramento prefatorum burgensium et amplius non sit miskenning.'

The meaning of the passage is obscure; Morant takes it to mean that if any burgess had committed murder he should be indicted for it nowhere else but at a hundred or any other court within the burgh, and be fined the usual sum of 100*s*. The translation in the text is the more probable.

oath of the burgesses of Colchester, before the justices itinerant of King Henry II.

These privileges were confirmed by successive charters, and from time to time additional privileges were granted. Henry III. confirmed Richard's charter; Edward II. slightly enlarged the immunities of the burgesses and gave them an annual fair of eight days from the eve of St. Denis; Edward III., Richard II., and Henry IV. confirmed the previous charters without adding to them; Henry VI. granted to the burgesses to elect annually at the time of the election of bailiffs four persons who should jointly with the bailiffs be justices of the peace for the borough and liberties, giving them as full power and authority as the justices have in any county or place in England.

The charter of Edward IV. amounts to a reorganization of the constitution of the corporation. He reincorporates it by the name of the Bailiffs and Commonalty of the Borough of Colchester. He constitutes a common council with power to make and execute by-laws; and in the mode of election of this council care seems to be taken while leaving the freemen their ancient right of election to apply a series of checks to control the licence of the popular body of electors. He adds to the justices of the peace 'some lawyer,' afterwards called the Recorder, who was always to be of the quorum.

This charter was confirmed by Henry VII.; by Henry VIII., who granted King's Wood Heath to the corporation, with some other favours; by Edward VI., Mary, Elizabeth, James, and Charles I.

In 1635 Charles I. gave the borough a second charter which amounts to a reconstruction of the corporation settling their governing body as follows: a

mayor and nine aldermen, besides sixteen assistants, sixteen common council-men, four out of each ward; a high steward and a recorder, both for life, and a common clerk during the recorder's pleasure. Henceforward it was to be known as 'the Mayor and Commonalty of the borough of Colchester;' this substitution of a Mayor for two bailiffs had been made in some municipalities as early as the 12th century, and had gradually been adopted in many of the principal towns of the kingdom. The mayor was chosen thus: the burgesses nominated two aldermen (who at this time were elected by the freemen, but held their office for life); the aldermen retiring into their chamber chose one of the two to be mayor. The mayor, recorder, the last year's mayor, and two aldermen annually chosen were to be the justices of the peace, to hold quarterly sessions; the mayor and recorder to hold weekly courts on Mondays and Thursdays. The charter confirms all the ancient rights, liberties, and privileges of the borough.

From a very early period the bailiffs, representing the king as lord of the manor, held the manorial courts, admitted copyholders by the rod, and exercised all the usual rights of manorial lords. As the lord of a manor had his *curia*, so the community of burgesses had its Moot-hall, a large part of which remained until thirty or forty years ago. Tradition assigned its erection to Eudo, but the architectural character of the building would point to a somewhat later date. What remained of it was a hall raised on an undercroft, with a segmental-headed doorway, and a round-headed window on each side. A drawing of one of the windows which was in good preservation exists in the Colchester Museum. It

is Norman, of a richly ornamented character, and of late date in the style. When we know that Richard I. in 1189 gave the town its first charter, empowering the commonalty to elect their own bailiffs from among themselves, and to choose for themselves a justice to hold pleas of the Crown, and to plead them within their borough, the thought suggests itself that the bailiffs and commonalty may at this time have rebuilt their old Moot-hall in honour of their enlarged liberties.

The corporation had from time immemorial certain valuable properties, especially the lands mentioned in Domesday, and the Colne with its fisheries; and it added from time to time to the extent of the corporate property. In the reign of Henry I. or Stephen, it obtained the ferm of the King's Wood and King's Wood Heath, which formed part of the king's demesne here; this estate was resumed by the Crown in the reign of Henry II., but Henry VIII. finally granted it to the corporation for a fine of 100*l.* and a nominal quit rent, and it is now the most valuable of the estates of the corporation.

In 1322 the corporation represented to the Crown that there were divers empty places in the town, and asked to have them added to the ferm which they held of the king at a rent of 25*l.* per annum.[1]

The common lands of the burgesses were increased in extent, by mutual agreement between the religious houses and other owners who had lands intermixed with theirs, of a right of inter-commonage, and by the claims of the other owners ceasing, and silently lapsing to the corporation; a century ago these Lammas lands

[1] *Rolls of Parliament*, i. 397.

were said to contain 500 acres, independently of Mile End Heath, over which the freemen had the right of commonage all the year round.

The walls of the town were, and are, the property of the corporation; in the Court Rolls of 5th and 6th Richard II. there are some notices of perhaps the last time that they were put into thorough defensible repair; there are entries which show that the bailiffs and community were causing the stone walls of the town to be repaired daily as they were greatly decayed; they removed a house annexed to the wall near East Gate which stood in the way of their repairs. And in the Rolls of Parliament we find that the burgesses of Colchester were excused by letters-patent from sending burgesses to Parliament for five years in aid of their expenses in enclosing the said *ville* with a wall of stone and lime, on condition that the work is finished within the said five years.[1]

In the century before the Reformation the town had reached its highest point of development, architectural, municipal, and ecclesiastical.

The Roman walls still remained, completely repaired in the middle of the fourteenth century, a monument of those days of the British and Roman greatness of the town which the mediæval imagination had associated with the names of Helena and Constantine. The Norman keep still reared its huge mass in the middle of the town, a memorial of the great Norman baron who had done so much for the town of his adoption. Within the encircling wall streets of fair houses, with ample space between street and street, gave that combination

[1] *Rolls of Parliament*, iii. 395*b*.

of security for person and property, scope for business, and opportunity of society, with the pleasant accessories of garden, orchard, and field. Even the streets were not without foliage; in 1311 the magistrates gave leave to Hugh de Stowe in Botolph Street to put up two posts in the street to support the vine against his tenement. And again in 1380 a piece of land was granted to Clement Dyer in North Street to put up three posts to support a vine opposite his house. The lines of houses were dignified by public buildings, a handsome Moot-hall, monument and centre of the municipal liberties of the town from the earliest days of the Saxon immigration, and eight goodly churches, with their chapels.

The municipal government of the town gave additional security and dignity to its life. Its bailiffs, elected by the community, ranked by virtue of their office with esquires; its ancient customs and privileges protected every free burgess from oppression and injury, and gave him a status and valuable immunities throughout the kingdom. The town was the capital of a considerable country district included within its liberties; Lexden, Greenstead, the uplands of Doniland, the King's Wood and King's Wood Heath beyond the river, gave the burgesses ample room to roam through field and forest, and, if they pleased, to hawk and hunt, to row and sail and fish, without overstepping the limits included within their own franchises and privileges. The ecclesiastical organization of the town was unusually complete. Within its liberties, within a stone's throw of its walls, was one of the greatest of the Benedictine monasteries, at another of its gates was the Priory of Austin Canons, with its handsome church, which was the chief

house of its order in England; it had its ancient leper hospital, and its house of Crutched Friars which had become the house of the wealthy and popular guild of the citizens. These formed a suburb of religious houses on the south of the town. The house of Franciscan friars stood secluded in the otherwise uninhabited north-east corner of the town within the walls. Besides the eight churches within the walls, four in the suburbs and four more in its dependent liberties, made up an abundant number of churches; while the hermitage and holy well of St. Anne and the Anchoret of St. James's supplied objects for that romance of devotion of which our forefathers had so keen an appreciation.

The historical student, familiar with mediæval manners and customs, can easily place on this stage some of the various scenes which the narration has suggested:—with the bustle of the weekly market, or the greater throng of the frequent fairs; the industry of the sailors at the Hythe; the judicial proceedings of the magistrates in the Moot-hall; the annual festival of the guild of St. Helen; the occasional distraction of a judicial combat in the Castle Bailey. He can as easily picture to himself the course of a day's life in the ancient borough—the burgesses were early risers in those days, and, like good Christians, went to matins and mass before they broke their fast and began the business of the day: it was still early when the various tradesmen were at their work—the three mills clacking since dawn; the tanners and fullers hard at work down by the river, the shoemakers in their stalls, the booths of the mercers under the shelter of the overhanging solars already open, and all the varied life of the town in full activity.

The differences in costume which distinguished the different ranks and classes of society in the streets kept continually before the eye a representation of the various elements which made up the population of the town, and gave a wonderful picturesqueness to the constantly changing groups. Amidst the undistinguished majority of respectable burgesses in their gowns, and of mechanics in their courtpies, it was easy to distinguish the bailiffs coming out of the Moot-hall by their furred gowns, and the Jews of Stockwell Street by the yellow badge on their breasts; and when Lord Fitz-Walter rode into town from Lexden, it was in the dress of a nobleman and with a couple of serving-men behind him. The Franciscans in couples begged from door to door in grey gown girt with a cord, and with sandalled feet. The Austin Canons wore the black cassock and cloak of their Order. It was not so easy to distinguish the rectors and chaplains from the graver sort of burgesses, for they wore gowns of much the same fashion and colour, and sometimes incurred the censure of their archdeacon by wearing gay girdles and even daggers at their girdles. It was seldom that a monk of St. John's was seen outside the cloister, and then he would probably be an officer of the abbey on his way to one of its granges; but the lord abbot would ride by sometimes on his ambling mule, attended by a couple of chaplains and half a dozen serving-men. As night came on, the streets were deserted; and only a lamp burning before the altar, making the painted windows of the church dimly visible, helped the belated burgess to recognize his way to his home through the dark street, and a rushlight lighted him early to his bed.

It was a simpler, homelier, hardier, life than that of the people who now live within the same walls and tread the same streets, and it had not the wearing toil and fierce competition of our modern life. Men lived their life out then without going beyond the walls of the borough, except for an occasional holiday within the liberties; but within those limits they found strongly marked varieties of human character; in the town they found the beautiful and picturesque in architecture, sculpture, painting, costume; the dramatic ceremonies of mediæval worship; and outside the town, yet without transgressing the liberties of the borough, they found, in contrast with all this, cornland and meadow, unreclaimed forest and wild common, shipping and river and sea; things which people now search for in holiday excursions over the length and breadth of Europe.

## CHAPTER XVI.

### JURISDICTIONS.

Jurisdiction of the bailiffs; of the abbot of St. John's; of the bishop; of the ecclesiastical courts—Jealousy between the town and the ecclesiastical courts—A judicial combat—The right of sanctuary—Burning for heresy—Witchcraft—Pressing to death—Privilege of clergy—Prisons and prisoners—Punishments.

IT must be borne in mind, that while the jurisdiction of the corporation extended over all the inhabitants of the borough and its liberties who had no other lord, there were several other independent jurisdictions. The abbot of St. John's had, as we have seen, jurisdiction over the tenants of the abbey lands, and the power and authority of the abbey court extended to life and death. The bishop had jurisdiction over the tenants of his Hamesoke. The ecclesiastical courts, the court of the bishop and the court of the archdeacon, claimed and exercised authority, though it was sometimes challenged and resisted by the burgesses unless exercised stoutly in accordance with their chartered privileges.

The Court Rolls of the corporation afford some illustrations of the course of justice which are worth noting here.

In the 8th of Henry IV. (1407) we have an instance of the town's jealousy of the invasion of its privileges by

the ecclesiastical courts. In that year the leet court presented that David Somenour, notwithstanding the ordinance of the town, that neither he nor any other process-server should carry or cite elsewhere men or women remaining within the town limit, cited a certain Hawise Huckstere, dwelling in the liberty, to a court at Stortford, and extorted from her 16*d.* &c., for which he was fined 6*s.* 8*d.* Thomas Somenour, for citing Isabella Kempstere and William Capper to Chelmsford, was fined 6*d.*; William Cavendish, commissary, and Thomas his clerk, for citing to courts at Chelmsford, Stortford, and elsewhere, 13*s.* 4*d.* The apparent merging here of an official title into a surname is worth noting.

There is a curiously circumstantial account of a trial by wager of battle, and since these combats were rare it is worth while to give the whole story:—

'The Monday next after the feast of St. James the Apostle, in the forty-ninth year of King Edward III., Sir John Cavendish, knight, and his associates by the king's commission sat to make delivery of the castle, before whom was led a certain prisoner, John Huberd by name, of Halstede, who accused John Bokenham the elder, of Stanstede, of divers roberies and homicides by them jointly committed. Bokenham was immediately led before the justices, and upon the accusation of Huberd interrogated. Bokenham denied it, and said that he was not guilty, and thereupon waged duel with the aforesaid John Huberd. And Huberd did the like. And it is considered by the justices that duel should be joined—namely, on the morrow. And the Sheriff of Essex is ordered that he should prepare clothing and arms, as accustomed in England, the same day, and

safely keep the bodies of the said John and John, so that he had their bodies before the said justices on that day on the north side of the said castle to fight the same. On which day and place they were led before the justices, clothed in leather coats, with staves piked with horn, and targets in their hands, and licence being given by the justices, and silence proclaimed, as the manner is, they commenced the terrible fight. At length the approver overcame the accused, saying, "Creant! Creant!" so that he acknowledged himself guilty, and he was thereupon hung, and the approver led again into the said castle.' There is confirmatory evidence of this combat in the Pipe Roll in the Record Office, where the sheriff claims allowance for 36*s.* 6*d.* for arming duel between John Huberd, approver, and *Walter* Bokenham, defendant.

There are also in the Court Rolls some illustrations of the custom of sanctuary. The reader will remember that the privilege was granted by Richard to St. John's Abbey. In the 17th of Richard II. (1393–4 A.D.) the lieges and commons of Essex complain that the abbot gave sanctuary for 'dette, detenue, trespas et toulz autres actions personels,' according to the use of Westminster. The abbot was ordered to be called before the Council to declare his privileges and immunities, which no doubt he was able fully to establish. Under date 33 Henry VI. the Crown Court Rolls contain a note of Thomas Fuller of Halstead, weaver, who, to avoid a writ for payment of a debt of 29*l.* 10*s.* 4*d.* to Viscount Bourchier, had taken sanctuary in the Bailiffwick of Colchester. The bailiffs are ordered every week for five weeks to make proclamation before the gate of the

sanctuary, summoning him to appear at Westminster on a certain day; and they make proclamation accordingly by their town clerk and town serjeant at the gate of St. John's Abbey. The sequel is not on record.

The Sessions Book also contains the form of abjuration of a felon who had sought sanctuary; it is in the statutory form except the opening words, which here run 'I am a felon and felon-like have robbed or slain' &c. No cases of abjuration are recorded. In the Sessions Books in October 16, 1679, is the case of John Pledger, late of Cambridge, who said he was travelling towards Harwich in order to take ship there, having been condemned for stealing a horse and pardoned upon condition that he left the kingdom within six months from the 7th day of the previous August; it is clear that he must have taken sanctuary and abjured; he had found a pair of (saddle) bags near the broad oak in Milend, containing eight guineas and some articles of plate, and was very naturally called upon to account for such a suspicious 'find.'

In 25th Eliz. Margaret Holbeye was indicted for exercising 'the art of fascination, as well of men as of animals; and for having caused Elizabeth Pickas by her diabolical practices to waste away. She was imprisoned for a year, and put in the pillory once a quarter on market days. There are two other illustrations of curiosities of mediæval judicial procedure. In the session of 1651 a burglar, on being found guilty, claimed benefit of 'the Clargie,' and 'read like a Clarke,' and thereupon was burned on the right hand and set at liberty. The Sessions Rolls record that, 14th Charles I., one John Davis

refused to plead, and was pressed to death according to the statute.

We gather from various sources some notes on the various apparatus for carrying out the sentences of the courts. Prisoners presented by the court leet as guilty of felony were committed to the castle and handed over to the king's justices at the next assizes; minor offenders were committed to the prison in the Moot-hall, and there is a curious entry illustrative of the treatment of the prisoners there. The public allowance for the maintenance of prisoners was so small that they could not exist upon it (in the time of Charles I. it was 1*d.* a day); they were therefore allowed to beg of the passers-by. This is referred to again among the disbursements of the corporation:—1618–19. For a new-headed basket for the prisoners to gather viteles xiiij$^{d}$. Compassionate people sometimes left small legacies for their relief; thus:—Matthew Rede, 1517, leaves money to the prisoners in the Moot Hall and in the castle. In the 47th Edward III. the bailiffs 'caused two posts to be erected, having iron spikes and being bound round with lead, on either side the entry into the Moot-hall, and there, fastened with "stout" iron chains, the prisoners were placed, so that, standing, sitting, lying and resting, they might seek their necessaries from the passers-by.'

In 1528 Thomas Matthew of Colchester, having been tried for heresy, and abjuring, was ordered as an act of penance to give 6*s.* 8*d.* in alms during the five weeks of Lent, viz. 16*d.* to the prisoners in Colchester Castle, 8*d.* to prisoners elsewhere, and the rest to the poor of the town.

By the help of notices in presentments of the leet courts and in corporate grants, we can make out that the site of the gallows was at the point of land at the end of East Street where the road divides, one branch going to Wivenhoe and the other to Ardleigh. A famous oak, often mentioned as 'The King's Oak,' stood near the gallows. The pillory was in the market-place, a little to the east of St. Runwald's Church (now destroyed). The stocks were also in the market-place. Among the payments in the 24 Eliz. is one for the repair of the cage outside East Gate; and in the 22nd James I. for repairing the cucking-stool. There is also a record of the punishment of 'the tumbrell' round the market, which, I suppose, was the punishment of whipping at the cart's tail; and in 1681, the constables were paid a shilling for whipping an unfortunate who is designated by the nick-name of 'Stickalorum.'

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## CHAPTER XVII.

### THE TRADES OF THE TOWN.

Leather and shoe trade; woollen manufactures—Ordinances for the regulation of the trades temp. Edward IV.—Cloth manufacture introduced temp. Edward III.—The Dutch bays trade—Decay and dissolution of the Dutch congregation—The oyster fishery.

THE earliest indications of the trade of the town are to be gathered from the Taxations of Edward I. at the beginning of the thirteenth century. The number of tanners mentioned there and their comparative wealth, and the number of shoemakers, indicate a rather considerable leather trade and manufactory of shoes. The list of weavers, dyers, fullers, woolcombers, also indicates the existence of a cloth manufacture in the town. When Edward III. took steps to encourage the woollen manufactures of the kingdom, Colchester took up the new trade with energy, as appears from the names of woolmongers, card-makers, combers, clothiers, weavers, fullers, dyers, which occur in the Oath Book and the Court Rolls in the reigns of Edward III. and Richard II., and the trade extended into the neighbouring towns and villages. This trade however seems to have gradually 'decayed;' at least, that is the description of 'the com-

mon estate of the town' given by the bailiffs in their letter to the Privy Council, dated August 1, 1570.

The mediæval tradesmen of Colchester no doubt had their guilds, which made ordinances for the regulation of their own several trades and the defence of their customary privileges, but I have found no evidences of them. Among the Records of the Corporation are some ordinances made for the regulation of trade about the time of Edward IV., but they are of the same kind as those made by the authorities in other places, as by the lord of the manor of Manchester,[1] and were enforced by the Court Leet not so much for the defence of the privileges of the trades against infringement as for the defence of the public against the 'tricks of the trade;' they enjoin penalties of fine, imprisonment, stocks, cucking-stool, and pillory for breaches of the regulations. The baker's price for bread was made dependent on the price of wheat; he was to be fined for selling light weight; and for refusing to bake according to the assize he was to be put in the pillory. The brewer was similarly restricted as to the quality and price of his ales. The price was dependent on the price of malt; when he bought malt for 2*s.* a quarter, he was to sell a gallon of the best ale for two farthings, and in proportion up to 8*s.* a quarter but no further; and he was to make 48 gallons of a quarter of malt. He was to send for the aletaster before he sold any ale; all his measures were to be sealed, and he was to set a quart of ale on the table for a halfpenny. Infringements of the regulations affecting his trade were be punished by fines of

[1] *Records of the Court Leet, Manchester*, by J. Harland. Cheetham Society's Publications.

increasing magnitude, and finally by the cucking-stool and the pillory.

The butcher was to have a penny in the shilling of the cost of the meat, with certain perquisites, he was restricted as to the kinds of beasts he killed, and was finable for infringements of the regulations, and liable to the pillory for selling unwholesome meat. Fines of increasing amount and finally the pillory were the penalties of his misdemeanours.

The fisher was only to take a penny in the shilling profit, not to forestall nor regrate, and after three offences punished by graduated fines he was to be put in the stocks in the market-place for his fourth offence. The cook was to sell good and wholesome food, not to cook anything twice, was to be fined for two offences, and put in the pillory for the fourth. The innholder was carefully looked after; all his measures were to be sealed, he was only to have a penny over the market price for every bushel [of corn], and a halfpenny for every bottle of hay which was to weigh seven pounds, and his faggots of wood were also regulated as to size and price, the penny faggot to be a yard long and seven 'shaftmond'[1] about. He was to sell a pot of best ale of three pints for a penny; if he harboured loose women in his house he was to be fined 6 shillings and eight pence; and if he would not beware after two warnings, then to be put in the pillory and also to forswear the town. The tavern-keeper was to take no greater profit than 2*d.* in the gallon of white or red wine, and of sweet wine 4*d.*; and to sell none till he had sent for the town officers to taste if it were good, wholesome,

[1] The shaftmond was from the top of the extended thumb to the outside of the palm of the hand, about six inches.

and able wine; and to gauge his vessels and mark their heads, and to be sworn as to the cost, and then to sell by sealed measure, and not to make nor meddle[1] any wine himself. If he sold faulty wine his tavern was to be sealed in, and he to pay a fine at the will of the lord of the franchise, and after to be judged according to the statute. The spicer was to have sealed weights and true beam, and not to sell by horns or aim of hand, nor by subtilty to deceive the poor commons. The weaver was to use no stones, but sealed weights only, and to sell no man's thrums, linen or woollen, but every man to have his own. The tanner was to tan no sheep's, goat's, deer's, horse's, nor hound's leather, and all he sold to be thorough tanned. The cordwainer was to make no shoes nor boots but of neat's or calves' leather, thoroughly tanned and well curried, but not himself to curry. The white tanner[2] was to tan only sheep's, goat's, deer's, horse's, and hound's leather, to be made of sufficient stuff, and the currier to curry no leather unless it were thoroughly tanned. The Almaine artificer, be he grocer, mercer, smith, draper, or any other craftsman, was not to use any weight or measure, unless sealed according to the king's standard; and was to be amerced if found offending according to the statute. The clause points to the existence in the town of a population of the Flemish artizans whom the policy of the Edwards and Henrys had encouraged to settle in the kingdom, and especially in the eastern counties.

In the middle ages markets and fairs held a much

[1] Mix.

[2] These were successors of the Alutarii, and dressed skins with alum, after the old Roman method.

more important position in the commercial and social life of the country than they do in these days. On the three market days in every week the manufacturers and shopkeepers of the town displayed their goods on stalls in the market-place, the country people brought in their produce which was also set out in the market-place; and both townspeople and country people did the greater part both of their buying and selling on these days.

The market cross stood in the middle of the market-place a little to the west of St. Runwald's Church (now destroyed), where it is marked in Speed's map of the town. A slight sketch of it in the Castle museum indicates that it was of the common type of stone 'Butter' crosses, of which examples still remain at Winchester, Chichester, and many other places.

The annual fairs were still more important occasions; people came from greater distances, and the commercial transactions were on a larger scale: the annual produce of the farms in cattle, wool, honey, cheese, and of the manufacturers in cloth, leather, metal work, and the like, were brought to sale, and shopkeepers on one side, and families on the other, laid in their stocks of necessaries of many kinds. Fairs could only be held by special grant, and the privilege was a valuable one. It not only brought customers for the produce of the town, and brought to the town the things which the townspeople wanted to buy, but the stall rents on the fair-ground and the tolls on the goods yielded a considerable revenue, and the residence of a large number of people for several days brought a harvest of money to all classes.

We have seen that Colchester had a market from time immemorial, and that it was confirmed by the Itinerant Justices in the time of Henry II. and by the charter of Richard I. On what day or days it was held does not appear; all we know is that the town has three weekly market days, Wednesday, Friday, and Saturday, the last being the greatest, and that it is not known when they first began to be held. William III. in his charter granted another market fortnightly on alternate Tuesdays.

There were five fairs: the first was granted to the abbey of St. John, to begin on the eve of the festival day of its patron saint, and to be continued for four days, viz. June 23, 24, 25, 26. It was held on the land outside the abbey, now called St. John's Green. The land belonged to the town, and the abbey paid a rent for the use of it for the fair.

Richard I., on December 8, 1189, granted a two days' fair to the hospital of St. Mary Magdalene, on the eve and day of their patron saint, July 21, 22, which was kept on Magdalene Green adjoining the hospital.

Next Edward II. in his charter of 4 February, 1318, granted a fair to the corporation of the town, to begin on the eve of St. Denis, October 8, and continue for the six following days. The charter of Charles I. reduced its continuance to four days. It was held in the market-place and the adjoining principal streets of the town; the cattle market on the first day being held in the Berye field, an open space in the south east-corner of the town, near St. James's Church.

The charter of William and Mary, AD. 1693, granted another fair to the corporation, to be held near St.

Anne's chapel outside the town on the Ipswich road, on July 12 and two following days, and the same King William III. a few years afterwards granted to the corporation another fair to be held in April, on the first Tuesday and three following days, which was vulgarly called the Taylors' Fair.

The Sessions Book of the corporation contains a curious account of a quarrel between the men of the abbey and the men of the town, which took place on the abbey's fair day, St. John Baptist's Day, 56th of Henry III. (1272). At nine o'clock in the morning the men of the abbey assaulted, wounded, and maltreated the townsmen, and robbed them of their goods and chattels in the fair. Next day the abbot's men took a corpse down from the abbot's gallows, which was at 'Beorne,' probably near Bourne Ponds,—the man had been hanged on the previous Sunday—and laid him on the green, and sent for the county coroner, as if the man had been slain in the scuffle of the previous day. But the bailiffs and their coroner came to view the body, and soon found out the trick which had been played them.

In the large number of all kinds of people assembled from far and wide at a great fair there were frequent offences against the person and trade disputes to be settled; and a special court of justice was held for the purpose of dealing with them. It was called the Court of Pie Poudre, either because of the haste with which its proceedings were conducted, or more probably because it was held in the dusty street during the progress of the fair. It had authority only during the fair days; and the cases which came before it must arise, the complaint be laid, the decision arrived at, and execution delivered,

on the same day. The Court Rolls of the borough contain details of two or three instances of the speedy and summary procedure of this curious court, of which the following is one in the time of Henry VI. :—

'Pie Poudre Court held at the Moot-hall before the bailiffs according to the custom of the town beyond memory, and by reason of the market held all day on Friday before the feast of the Invention of the Holy Cross, at the eighth hour in the forenoon of that day.

'To this Court came Thomas Smith, who complained of Cristina van Bondelyng being indebted to him 60*l.* 10*s.* 10*d.*, and he found pledges to prosecute his suit, and the Serjeant was ordered to summon her before the court at the ninth hour.

'At the ninth hour, plaintiff being present but defendant not appearing, precept was issued to the Serjeant to attach her goods and chattels so that she should appear at the tenth hour.

'At the tenth hour, defendant not appearing, the Serjeant certified that he had attached twenty-three woollen cloths belonging to her. An order was made to record a first default and summon her for the eleventh hour.

'Again at the eleventh hour, no defendant appearing, a second default was recorded, and a summons issued for her appearance at the first hour after noon.

'At that hour, defendant being still contumacious, a third default was recorded. Plaintiff was permitted to prove his debt, and appraisers were sworn to inspect and value the goods seized. Judgment was recorded for plaintiff for his debt and 26*s.* 8*d.* damages.

'At the fourth hour P.M. the appraisers returned the value of the goods at 61*l.* 4*s.*, which were delivered to the plaintiff, he finding pledges to answer defendant in the same court should she plead in a year and a day' (i.e. on the fair day in the following year).

## CHAPTER XVIII.

### THE REFORMATION.

Suppression of the smaller religious houses—Surrender of the priory—Execution of the abbot of St. John's—Suppression of the Chantries and Guilds—Results of the whole work.

THE history of the Reformation in Colchester demands a chapter to itself. The Act of 1535 destroyed the smaller religious houses. The Magdalene Hospital, which had afforded a home to four poor afflicted people, and had given a daily dole to many more, and had maintained a parish priest for the parish of St. Mary Magdalene, was dissolved and its property confiscated to the Crown. The Franciscan Friars were driven out of their home in the north-east corner of the town, and their brown frocks were no more seen either at the doors of the well-to-do citizens or in the lanes among the sick and poor. The King granted to lay people the house of the late Friars, vulgarly called the Grey Friars of Colchester, with those houses and edifices called the Old Hall, the Fermery (Infirmary), and Sir Thomas Tyrrell's Lodging, the bakehouse and brewhouse and gardens, and a piece of land containing by estimate four acres, the whole valued at 25*l.* 8*s.* The Crutched Friars shared the same fate, and their house was turned into a mansion, which descended to Sir Harbottle Grimstone,

the Puritan M.P. for Colchester in the Long Parliament, and was ruined at the siege. And the hermit was turned out of his hermitage and chapel of St. Anne on the Ipswich Road.

Two years after, the surrender of the greater houses was begun. The priory church of St. Botolph was preserved for the use of the town by the happy accident that it was also a parish church; but its property was confiscated, its house destroyed, its prior and eight canons were dismissed, and the site was granted to Lord Chancellor Audley.

The suppression of St. John's Abbey affords one of the most notable incidents of the dealings with the religious houses. Abbot Thomas Marshall, resisting Cromwell's reforming measures, was attainted of high treason, and succeeded early in 1538 by John Beach or Beche, who was soon found to hold the same views as his predecessor. Beche was present in the Parliament of 1539 while the Act (31 Hen. VIII.) conveying to the Crown the religious houses dissolved or to be dissolved hereafter passed through its various stages, and made no opposition, but outside the house he spoke violently against it. 'The King shall never have my house,' Sir John St. Clair told the Lord Privy Seal he had declared, 'but against my will and against my heart, for I know by my learning he cannot take it of right and law.' He appears in fact to have resisted the execution of the Act in the case of St. John's, and to have concealed the abbey plate. Cromwell obtained some information, the particulars of which are not known. They were said to involve the abbot in a charge of treasonable conspiracy, and he was attainted of high treason, but

the Bill of Attainder is lost. Since the abbots of Glastonbury and of Reading were tried by commission, it is probable that a similar course was pursued in the case of the abbot of Colchester, but no particulars on the subject remain. According to the tradition of the place, 'the magistrates asked him to a feast and then shewed him the warrant and went and hanged him without further warning or ceremony, on December 1, 1539.'

The monks were turned adrift with small pensions, together with many others who depended on the abbey. The buildings were destroyed so effectually that the very site of them is not known, only the gatehouse is left. The king granted the estate to Lord Chancellor Audley; from him it passed from hand to hand—the intermediate stages do not concern us here—into the hands of the Lucas family; they built themselves a manor-house out of the ruins, which was subsequently knocked to pieces during the siege.

In the next reign the chantries and guilds were suppressed. St. Helen's Guild with its chaplains and bedesmen, the smaller guilds already mentioned, and the chantries and obits in the parish churches were involved in this wave of destruction. The corporation bought the chantry lands of the king for 284*l.* 5*s.* A few years later another set of commissioners came down from London and overhauled the parish churches, their ornaments, plate and vestments, and seized what had not already been sold by provident churchwardens, or appropriated by the 'princes of the congregation.'

During the middle ages the great tithes of Trinity, St. Giles, and the Hythe had been granted to the abbey; those of St. Botolph, St. Peter, All Saints,

St. James, and Mile End to the priory. At the dissolution the great tithes of these parishes were swallowed up, together with the other endowments of the monasteries. When Morant wrote his history of the town in 1748 most of the livings had become so inconsiderable that one was worth but 25*l.* a year certain; another 15*l.*; another 9*l.*; another 6*l.* 10*s.*; and finally another but 20*s.*

It is a pity the good of the Reformation was not attained without so large a set-off of evil. Colchester is an illustration of the faults of that great movement, the reckless spoliation of the Church and the absence of constructive reform. It is not too much to say that the Reformation left Colchester maimed, lacerated, and bleeding; deprived of all the good which the ancient institutions had maintained, as well as relieved of the evils which had grown up about them; with sixteen ill-endowed parish priests only left to fill the place of the manifold religious and charitable machinery which had been swept away in a riot of destruction and plunder. What a different history that of the good town would have been in subsequent times if St. John's had been converted into a cathedral for Essex, and the constitution of St. Botolph's remodelled into a collegiate church for the town, the great tithes restored to their parishes, and the endowments of the chantries and obits appropriated to maintain assistant clergy! No wonder that, as we are told, 'the town went much to decay in the latter part of Henry VIII.'s reign, so that twenty-five houses were taken down in Head Street alone.' No wonder that sound religion suffered, and that Colchester became a stronghold of nonconformity and fanaticism.

On the death of Edward VI., Colchester declared for Queen Mary, in opposition to the conspiracy to place the Lady Jane Grey on the throne; the magistrates sent a messenger and provisions to her at Framlingham, and put the town into a posture of defence on her behalf. The queen visited the town on July 26, 1553, when the corporation handsomely entertained her and made her a present of 20*l.* in gold in a grand gilt cup with cover. Colchester had its share in the religious troubles of this reign, for the principles of the reformation were widely prevalent in the town and neighbourhood. A writer of a period a little later [1] records that Colchester, 'in the troublesome tyme of Queene Marie's persecution, was a sweet and comfortable mother of the bodys, and a tender nourse of the souls of God's children,' and 'for the ernest profession of the Gospell was like a citie set upon an hill;' for people from other parts used to resort to the King's Head and other inns in the town, where their co-religionists of the town used to meet them, for the holding of their 'Christian exercises.' There is also evidence that some of the people had adopted the more extravagant religious notions which were rife in this period. In 1555 Christopher Vitels, a disciple of Henry Nicholas, the founder of the Family of Love, came from Delft and spread his wild tenets in and about the town. A priest named Tye writing December 1557 says: 'The rebels are stout in the town of Colchester. The ministers of the Church are hummed in the streets and called knaves; the blessed sacrament of the altar is blasphemed and railed upon in every house and tavern;

[1] W. Wilkinson: *A brief description of the first springing up of the heresy termed the Family of Love.*

prayer and fasting are not regarded.' No wonder we find that many were brought before the authorities on account of their religion. Of these nineteen were condemned and suffered the dreadful penalty of death by burning, in the Castle Bailey or outside the walls of the town. The curious reader is referred to Foxe's 'Acts and Monuments' for the sickening details.

The immigration into the town of Protestant Dutch refugees fleeing from the cruelties of the Duke of Alva is a very important epoch in the history of the town, for it resulted in making Colchester one of the principal seats of a large and flourishing manufacture. The first group came from Sandwich in March 1570, eleven families of them, making about fifty persons. The authorities of the town were disposed to encourage them as likely to introduce new industries into the town, and to increase its prosperity; but they did not feel at liberty to give them leave to settle in the town without higher sanction, and accordingly, on August 1, 1570, the bailiffs addressed the Privy Council on the subject. Elizabeth's policy was to protect these refugees, and leave was accordingly given them to form a 'Dutch congregation' in Colchester. There were ultimately eight of these Dutch churches in England—viz. at London, Norwich, Colchester, Maidstone, Canvey Island, Yarmouth, Sandwich, and the Dutch Chapel Royal, St. James's. Leave being given, 150 more Dutch came to Colchester, making a total here of 200 persons in about forty families. The 'Monday Court Book' of the corporation contains a carefully prepared list of the refugees in 1573, with the number in each family, and the parishes in which they had fixed themselves. There are descen-

dants of some of these persons still living in Colchester. The Dutch congregation formed a separate community, with its governors and officers. There were some men of capital among them, as well as of enterprise and knowledge of trade, who soon introduced new trades into the town, especially the manufacture of a particular kind of serge called bays (now spelled baize) and says.

In April 1575 the Dutch made an agreement with the bailiffs and commonalty of the town, in which they promised to observe the municipal laws, and to obtain the sanction of their by-laws, and they undertook to pay a handsome sum yearly for the enjoyment of their privileges, and to maintain their own poor. They formed a company with their own by-laws for the regulation of their trade; and soon proceeded to build a hall for themselves at the top of High Street, near St. Mary's Church, which was vulgarly called the Red Row. The ground floor was, as in many of our own market houses, open to the street, being divided from it by pillars, and formed the Exchange, in which the makers and merchants met daily to transact their business; and over this, supported by the pillars, was the Dutch Bay Hall, in which the meetings of the company were held. Before 1580 they had formed themselves into a separate religious congregation under their own ministers, who were however under the jurisdiction of the Bishop of London. For some time they were allowed the use of St. Giles's Church, then of All Saints', and at last had a chapel of their own in St. Mary's Lane. The registers of the baptisms of the Colchester Dutch congregation from 1645 to 1728 have lately been found in an ancient box in Austin Friars

Church, London, where they had been reposing unknown for more than a hundred years.

The success of the foreigners excited jealousy and opposition on the part of their English rivals, who in 1603 twice indicted them at Quarter Sessions for making trade regulations and enforcing fines contrary to law, and petitioned the Privy Council against them; but the Privy Council and the local authorities supported them; and a few years later—on October 17, 1612—the king gave them letters patent, which effectually protected them in their privileges of trade and worship.

In the reigns of Charles II., James II., and Queen Anne, the Dutch communities decreased; especially when the wars of Queen Anne closed the market of Spain, the great consumer of the particular kind of cloth which formed their chief source of wealth. Some returned to the Netherlands, some obtained naturalization here; the congregations gradually dwindled away, and one after another ceased to exist; the Colchester congregation dissolved itself in 1728.[1]

The Oyster Fishery is at present the one thing for which the town is famous. It is only in comparatively modern times that it has grown into an important industry and a valuable source of revenue to the corporation, which has of ancient right the exclusive fishery of the Colne. The charter of Richard I. confirmed to the burgesses their fishery 'from the North Bridge as far as Westnesse' (which is the projection of the land on the north side at the mouth of the river), and further confirmed their ancient right that, whoever possessed

[1] *Historical Introduction to the Dutch Church Registers.* By W. J. C. Moens.

the lands adjoining, the said burgesses should have the customs of the water and the banks on both sides, to enable them to pay their feefarm, as they enjoyed them 'in the time of King Richard's father and grandfather'—the usual formula on the renewal and confirmation of a charter, which does not limit the previous time during which the right may have existed. In the charter of Henry VI., 'to remove all ambiguity and doubt or difficulty,' the right is more fully defined as 'the water and river from the North Bridge of this borough as far as Westnesse, together with the banks on each side of the said river, and all the creeks adjoining and belonging to the said river, within the precinct aforesaid, as parcel of the liberty of the borough; so that no person, of what degree or condition soever, might, without the will of the bailiffs and commonalty and their successors, make wharfs or cranes on the banks of the river, or places aforesaid; or weirs, kiddles, or engines for catching fish; or might fish in the said water; or might sell any merchandise to vessels coming up the river or buy anything of them (provisions for people's households alone excepted), except at the New Hythe, upon pain of forfeiting the merchandise and the vessels or boats wherein they should be bought or sold.

It has been related how Lionel of Bradenham in the reign of Edward III., and the Earl of Oxford in the reign of Henry VI., tried in vain to oust the borough from its ancient rights. Another attempt equally unsuccessful was made by Sir Roger Townsend, lord of Wivenhoe, in 1620 and 1639. The river was always taken to be exempt from the admiralty jurisdiction. In the second charter of Charles I. the magistrates were em-

powered to hold admiralty courts. A small silver oar, which is still among the 'regalia' of the corporation, was probably made at that time as a symbol of this jurisdiction; but in 1840 all these separate maritime jurisdictions were abolished and swallowed up by the High Court of Admiralty.

The great value of the fishery arises from the fact that the creeks and waters of the Colne contain large beds of the very finest kinds of oysters. The Romans, we know, cultivated the oyster very largely, and exported it from Britain to Rome. That they consumed a large quantity here is proved by the prodigious quantity of oyster shells found on most sites of Roman occupation. After Roman times the oyster seems not to have been very highly esteemed, or at least not much cultivated. The Taxation of 1300 tells us that one sailor in Colchester, Alex. atte Delve, had 'a dragge for taking oysters;' and the Court Rolls of the borough tell of an oysterstall in the market in the 10 and 11 of Edward III. In the reign of Elizabeth we find the bailiffs sending a present of 'a horse-load of our Colchester oysters' to the Earl of Leicester, and the earl acknowledging their 'courteosies in visiting me many tymes with the lyke.' The annual dinner on the election of the mayor is called the Oyster Feast; oysters form a conspicuous and specially honoured item in the bill of fare on the occasion, and the people take it for granted that the feast derives its name from the bivalve for which the town is famous; but this origin of the name may be questioned. 'Oyster feasts' are common at the beginning of a new official reign in many places, for instance the entertainments given by canons on entering into residence are in

some places so called, where they seem to have nothing to do with the bivalve; the name may probably in all cases be connected with oyster (*ostre*) tenements.

Queen Elizabeth, in the course of a progress through Essex and Suffolk in 1579, stayed at Colchester on September 1 and 2, and the account is still extant in the corporation records of the satin cassocks and scarlet gowns in which the bailiffs and aldermen, with the council in silk cassocks and livery murray gowns, all on comely geldings, rode to the boundaries of the borough in attendance on her majesty. On the threat of the Spanish invasion, the town supplied two ships of about eighty tons, and a pinnace of eighteen tons for the queen's service, and on other occasions supplied eight to fourteen men to the levies which were required for warlike operations abroad. During the greater part of Elizabeth's reign the town had Sir Francis Walshingham for its recorder, and one of the earliest of the list of Colchester worthies was William Gibberd, the queen's physician. He was born here in 1540, and was educated at St. John's College, Cambridge, where he obtained a fellowship. He settled in London and practised physic, and in time became senior physician to Queen Elizabeth and to James I. His chief title to fame is as a natural philosopher, and especially as the founder of the science of electricity. 'His great work "De Magnete" published in 1600 is the basis of all our electrical science since that date. Galileo, Bacon, Priestley, all bear witness to the originality and solid quality of the "De Magnete."' His house in Trinity parish, Colchester, anciently called Tymperley, still remains; he was buried in the adjoining church; his epitaph records that he died in 1603.

Some church foundations since the Reformation need mention, but the list is not a long one. Henry VIII. granted the chantries in the chapel of St. Helen and the church of St. Mary to the corporation with which to found a free school, which they did in the reign of Elizabeth. It has been a very useful school to the town, but has not acquired more than a local reputation. Charity schools were founded here in 1682 very early in the movement for the education of the lower classes. And there are several almshouses of the usual sort.

Archbishop Harsnett's library is one of the foundations which deserve grateful mention. The archbishop, the son of a baker in Botolph Street, was born in 1561, and was probably educated in the free school here, afterwards at Pembroke, Cambridge, where he gained a scholarship and was elected fellow. The town was glad to elect its distinguished young scholar as the head master of its free school in 1587; but he resigned his post in the following year and returned again to Pembroke. He was successively master of his college, archdeacon of Essex, bishop first of Chichester and then of Norwich, and at length archbishop of York; he was a man of learning and ability, and took an important part in the religious controversies of his time. On his death in 1631 the archbishop showed his grateful recollection of his birth-place by leaving his library to the corporation of Colchester, on condition that they should provide a suitable room for it, for the use of the clergy of Colchester and its neighbourhood. For a while the corporation found house-room for the books and a librarian to take care of them. Then they were sent

to the grammar school, where they were badly kept and in danger of decay. In 1749 Mr. Charles Gray gave them house-room in the chapel of the castle, which he had recently repaired. The books are now carefully kept and are not unused, but it is only of late years that the value of some of them has been at all rightly appreciated. One of them, a 15th century MS. translation into English verse of Palladius's 'Book of Husbandry,' was quite unknown until the late Rev. Barton Lodge, Rector of St. Mary Magdalen, published one book of it in the 'Transactions of the Essex Archæological Society,' upon which its value was recognized, and the whole work was published by the Early English Text Society. Still more recently the library has been examined, and a report of some of its more important treasures has been published. Among them are the finest copy known of Chaucer's 'Boethius,' printed by Caxton, in its original binding; the second (?) and exceedingly rare edition of 'The Flowre of the Commandements of God,' printed by Wynkyn de Worde, probably in its original binding; the 'Vitæ Pastorum' of 1495, by the same printer; and many other books of considerable rarity, interest, and value.

The archbishop's curious monumental brass still remains in Chigwell Church; he is represented in cope and mitre, holding his pastoral staff in the left hand and a book in the right.

# CHAPTER XIX.

## THE SIEGE.

Character of the East Saxons—The Eastern Counties Association—New rising of Royalists—Goring in Essex—The Royalists enter Colchester—The Parliamentarians on Lexden Heath—Fairfax's unsuccessful *coup de main*; resolves upon a siege—Reinforcements intercepted—Naval engagement in the Colne, assisted by cavalry on both sides—The defences of the town—The siege works of the assailants—Treatment of the Parliamentary Committee—The bay and say makers—Details of the operations—The southern suburb taken—Prolongation of the defence—The 'flaming bull'—Scarcity of provisions—Distress of the inhabitants—Surrender—Trial and execution of Lucas and Lisle.

WHAT was it in the original character of the East Saxons, or in the subsequent circumstances of the men of Essex, which put them always in opposition? Wat Tyler—the real Wat Tyler, out of half a dozen whom Bishop Stubbs has put on record—was an Essex man. John Ball, another of the leaders of the popular disaffection, is described as Mary-priest of York, but we hear of him as carrying on the work of agitation at Colchester, doubtless because it was one of the centres of the movement; and when his rebellion had been suppressed, the Essex men gathered together at Billericay for a second abortive attempt.

That the opinions of the Lollards flourished here seems to be a fair inference from the fact that it was

thought politic in 1428 to give them the terrible warning of Cheveling's fiery death outside the Balkern Gate, and that similar opinions still found here congenial soil is proved by the large number of burnings in the Castle Bailey during the Marian persecution. The influx of refugees from the Low Countries, fleeing from the cruelties of the Duke of Alva, filled the town with enthusiastic religionists, whose tales of the persecution they had fled from were calculated to enlist sympathy with their political and religious opinions. And so, when the contest began between Charles I. and the people, Essex in general, and Colchester in particular, were found to be on the side of the opposition.

Before the Civil War broke out, great numbers of Essex people had sought in the New World scope for the free exercise of their political and religious opinions.[1]

As early as the end of 1642 Essex had entered into an association with the other Eastern counties, Suffolk, Norfolk, Hertford, and Cambridge, in which the bulk of the population and the majority of the county families were, in the interest of the Parliament, to aid one another in mutual defence from all rapines, plunderings, &c., and for this purpose money was raised, arms provided, trained bands organized, and all proper means of defence adopted, under the authority of the lord-lieutenants and deputy-lieutenants; the king's party had not been strong enough in these associated counties

[1] The late Colonel Chester, who had made the subject a special study, says: 'My investigations into the subject already enable me to affirm unhesitatingly that, of the early New England settlers, the origin of considerably more than one-half can be traced directly or indirectly to the county of Essex.'

to make any movement on his behalf; and the exigencies of the Civil War had not necessitated any warlike operations within them.

In Colchester the Puritan and Parliamentary interest was especially strong. The town had contributed large sums of money to the Parliamentary cause, and supplied many recruits to its armies. The burgesses had sent to the Long Parliament Sir Harbottle Grimstone, who represented the nobler aspect of the Parliamentary cause; and the mob had not been slack to illustrate its ignoble excesses in riotous attacks upon the persons and property of the neighbouring gentry and clergy who were conspicuous for their loyalty to Church and King. In 1641 the town petitioned against the bishops, and prayed that it might be better fortified, and Parliament granted a considerable sum for this purpose. In 1642, learning that the loyalist, Sir John Lucas of St. John's (afterwards created Lord Lucas), was about to join the king in the north, the mob seized his person and sent him as a prisoner to Parliament, ill-used the ladies of his family, plundered his house, and even broke open his family vault in St. Giles's Church and desecrated the bones of his ancestors. They attacked the house of Gabriel Honifield, vicar of Ardleigh, and master of Magdalene Hospital, plundered its contents, and 'left not a shelf behind them, nor a peg to hang a hat upon;' and when the old clergyman appeared in the streets, neither his sacred character nor his seventy years restrained them from pelting him with dirt and stones.

In 1648 it seemed as if the Civil War was over; the Royalists had everywhere been beaten in the field, and

the king was a captive; but one final outbreak of hostilities remained, and Colchester was destined to experience at length a large measure of the miseries of civil war. The treatment of the captive king by the Parliament, and fear of the intentions of the army, led to a last great effort on the part of the Royalists to make such a demonstration as should enable the king to treat with his enemies on more equal terms, and force Parliament and the army into the restoration of peace to the kingdom on conditions of reasonable accommodation between the contending interests. They had the more reason to hope for a successful result of their attempt because there was among the more moderate of the Parliamentary and Presbyterian party a considerable reaction of feeling in favour of the Royal cause, and of fear of the ultimate designs of the army. The royalists of South Wales in considerable numbers took up arms. The Duke of Hamilton headed a rising in Scotland; the Duke of Buckingham and Lord Holland raised forces at Kingston-on-Thames; great numbers took arms in Kent, and put themselves under the command of George Goring, lately created Earl of Norwich; and smaller bodies rose in other places in aid of the general movement. The first outbreak occurred in Kent. Goring led his followers to Blackheath, expecting that his approach to the capital would encourage large numbers of the Londoners to rise and join his standard; but Fairfax, the lord-general of the Parliament, marched promptly against them and divided their forces, part retiring on Rochester, and part on Maidstone. He defeated the latter body, and the former dispersed. Goring, at the head of five or six hundred, crossed the Thames

to the Essex side of London, where others of the Kentish refugees and some Londoners joined his standard.

Meantime Sir Charles Lucas gathered a body of loyalists together at Chelmsford, seized the Committee of Parliament sitting there, retained them in honourable captivity to serve as hostages, and, marching to Brentwood, joined the Kentish men. Then, apparently under the advice of Lucas, the united forces marched to Chelmsford. Here, on the 9th of June, they were joined by Lord Capel, Lord Loughborough, Sir George Lisle, and Colonel Farre, with reinforcements raised in Essex and Hertfordshire.

On Saturday, June 10, Goring marched from Chelmsford towards Colchester, at the head of 4,000 men. Late in the afternoon of the following Monday, on approaching the town, he found the Head Gate closed, and a body of armed citizens drawn up in front of it. Sir Charles Lucas galloped forward with the advanced guard through the opposing body, which seems to have made only a formal resistance, for only one of them was killed in the scuffle. Then the gates were thrown open. The Royalists had intended to stay only a few days in Colchester, and then to march into the midland counties, where they hoped to receive reinforcements. But Fairfax had acted with great promptitude. On Sunday, June 11, the day after the Royalists left Chelmsford, he crossed the Thames at Gravesend, and marched to Brentwood. Thence, leaving the main body to continue their march, he rode across the country with an escort of ten men to Coggeshall, where Sir Thomas Honeywood was at the head of 2,000 Essex trained-bands and volunteers, and at once led them towards Colchester. The

Kentish forces were all the while marching down the London road in the same direction. On the 13th—only a day after the arrival of the Royalists at Colchester—Fairfax's forces had effected a junction on Lexden Heath; and their general at once sent a trumpet forward to Goring with a peremptory summons to surrender. Goring sent back a scornful reply, and both sides prepared for action.

Goring put his troops in array, partly in the field in advance of Head Gate, partly within the town. The forces in the open were arranged with the main body of infantry in the centre, one regiment in the road, and one on each flank of it; on the wings they placed their small force of cavalry; a little way out along the road, they placed an advanced guard of foot, composed exclusively of gentlemen volunteers. Two regiments of foot were drawn up in reserve at the head of Crouch Street, and in rear of all a regiment of horse was posted at Head Gate itself. The foot regiments probably averaged about 600 each, and the three so-called regiments of horse about 200 apiece. Fairfax, not to lose the advantage which the swiftness of his movements had given him, followed up his summons with such rapidity that before the loyalists could complete their arrangements their outposts were already hotly engaged. The cannon from a battery formed in St. Mary's churchyard did great execution among the assailants, who nevertheless fell on with great fury. They were received with great gallantry, and three times repulsed; but the Royalist horse, oppressed with numbers, were obliged to give ground, and at last came full gallop into the street, and so on into the town. After further resistance the Royalist

foot began to lack ammunition, and the word was given them also to retreat, which, however, was done in such good order that the Royal troops entered the town with very little loss. Then the reserve regiments, being left to sustain the efforts of the enemy's whole army, were put into great disorder and forced to get into the town as best they could, by which means near 200 were killed and made prisoners. The assailants pushed boldly forward on the heels of the flying foe. Seven colours of Barstead's foot charged into the street, carrying all before them. But Lord Capel, pike in hand, led a charge by one of the lanes parallel with the wall, and reached the gate; his men closed it by sheer bodily strength in the face of the enemy, and, the bolt being missing, Lord Capel fastened it for the moment by slipping his cane into the staples; then they proceeded to barricade it, so that all the efforts of the enemy, continued for some time with great determination, were unable to force it. The Parliamentarians who had entered the town were cut off to a man. Probably the killed and wounded, including on both sides some distinguished officers, were not far short of 500 men. The *coup de main* having thus failed, Fairfax withdrew his troops, and, considering the strength of the place and the number of its defenders, resolved to proceed by a regular siege.

His policy is sufficiently intelligible. He had here the main forces of the southern Royalist rising in a corner of the land, and he at once took measures to cut them off from succour and to reduce them to surrender. On the other hand, the policy of the Royalists is equally obvious. By prolonging their resistance they were occupying the Parliament's best general and largest army,

and giving the better chance to the Royalist risings in other parts of the country. Fairfax fixed his head-quarters at Lexden, so as to oppose his main strength to the Royalist succours which were expected down from London. He detached part of his forces to Maldon and to Chelmsford, to meet reinforcements coming by either of those roads; he sent word to the Suffolk Parliamentary levies to secure the passages of the Stour, and the Parliamentary squadron at Harwich also assisted in guarding that river; and he sent down on the 14th a troop of dragoons to strengthen the garrison of the Block House on Mersea Point.

The besieged, on their side, were almost as active. They sent out foraging parties into the Tendring Hundred on the east, which was still open to them, to bring in supplies. They sent a party of horse to seize Mersea Fort; it arrived too late, for Fairfax's dragoons were already there. As there were two Royal ships, one of ten the other of eleven guns, in the Colne, Fairfax sent round to the Parliamentary squadron at Harwich for three ships, which came and engaged in a spirited fight in the estuary of the river. At last a party of dragoons from Mersea Fort went on board the Parliament ships to reinforce the failing crews. The Royalist leaders at Colchester, when the sound of the firing was heard, sent a party of horse in all haste down the river to render any aid which might be possible. But they came too late. With the help of the Parliamentary dragoons the Royal ships had been carried by the board, and when the Royalist horse arrived the prizes had just been taken ashore. There is probably no other instance of horse soldiers being sent to take part in a naval

engagement. So the able Parliamentary general cut off supplies and reinforcements, and prevented escape, by way of the sea.

It must be borne in mind that the suburb of the town extended all along its south side outside the walls; and the nature of the ground on this side, rising into a ridge from which the enemy's cannon could command the town, made it necessary to include the suburb in their plan of defence. Ready-made posts of some strength for the defence of this suburb were afforded by the enclosed area of Lord Lucas's house (the house itself was in ruins) and the gateway of the abbey; by Sir Harbottle Grimstone's house, within the old wall of the Crutched Friars, outside the south-east corner of the town; by the Priory church, and the church of St. Leonard-at-Hythe down by the river; and by Greenstead church, beyond the river, opposite the Hythe; while a battery erected on the high ground within the walls, in St. Mary's churchyard, and another battery erected on the Balkern Gate, afforded protection to the west face of the wall. The river, winding round the north and east sides of the town, with no buildings between it and the wall, afforded protection on those sides; the Middle Mill served as an advanced work to strengthen the line on the north, and a small fort was erected at the north-east angle of the walls.

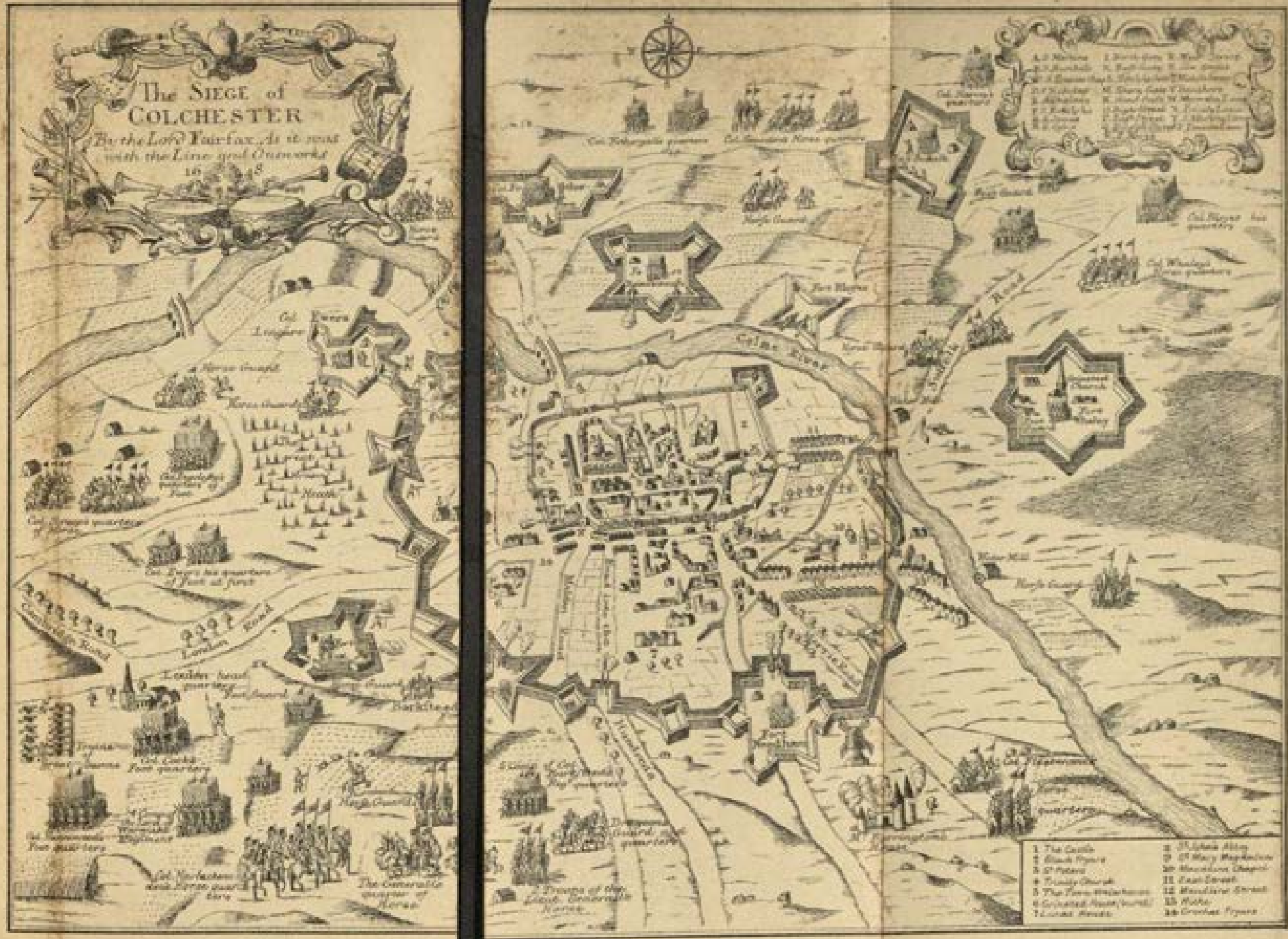
Fairfax did not undervalue the strength of the defences and the courage of the defenders, and laid regular siege to the place, according to the best rules of the art of war. He drew a line of circumvallation all round the west and south of the town, at a distance of from a quarter to a third of a mile, strengthened with forts

at intervals. The river, which was in flood (it was a rainy season), while it afforded protection to the town, also completed the line of enclosure of the besiegers on the north and east. A bridge of boats over the river, above the North Bridge, gave the enemy free access to the northward of the town beyond the river. Detached forts were erected on all sides at suitable places to command the town and its approaches.

The accompanying map, taken from one in the British Museum of which there is a duplicate in the Bodleian library, clearly represents the plan of all these siege works. This map, together with the detailed account of the daily progress of the siege, which can be compiled from the various authorities, affords an unusually complete idea of the military operations of the time. The complete series of attacking and defensive works, which we have thus summarized, was only gradually carried out. Fairfax's plan was, first to erect a continuous line on the west side of the town to repel reinforcements from London, and a sally from the town to meet them; then to erect forts on the north side of the river to shut in the garrison and to repel reinforcements on that side; then to complete his investment on the south and east sides.

The Parliamentary Commissioners[1] were lodged at the King's Head Inn in Head Street, and treated with courteous consideration, but they must have passed a very unpleasant time. They were allowed to raise a flag over their lodging and to send a message to Fairfax that

[1] They were Sir Wm. Rowe, Sir Wm. Masham, J. Eden, Saml. Sheffeild, J. Langley, Ti. Middleton, Th. Ayloff, Robt. Smith, J. Barnardiston, and R. Crane.


The Siege of
COLCHESTER
By the Lord Fairfax, As it stood with the Line and Outworks
16 8
London, Longmans & Cº

he should direct his cannoneers not to fire upon it. The Parliament was very solicitous for their safety and comfort. The Parliament seized twenty Royalists (among them Wren, Bishop of Ely, Lord Cleveland, Mr. Ashburnham, and Lord Capel's son) and sent them down to Fairfax 'to be kept in like hard usage as Sir Wm. Masham and others are kept in.' On July 22 Fairfax proposed to exchange Mr. Ashburnham for Sir Wm. Masham, and Lord Capel's son for another of the Committee men. But the Royalist leaders rejected the offer. Lord Capel sent Fairfax word that it was inhuman to surprise his son, who was not in arms, and offer him to insult a father's affection; but that he might murder his son if he pleased; he would leave his blood to be avenged as Heaven should give opportunity. The Parliamentary General carried still further his care for their well being, and the Royalists, when reduced to horseflesh, made a great joke of the hot pies which were sent in from the leaguer, with trumpet and flag of truce, for the entertainment of the Parliament gentlemen. A curious incident occurred on the tenth day of the siege. The bay and say makers in the town, probably the Dutch congregation, consisting chiefly of the descendants of Flemings, who might consider themselves as neutrals in the war, petitioned to have free trade with London during the siege. Fairfax replied that there were with him gentlemen of quality and townsmen of good estates and eminent in trade who offered to buy all the bays and says in the town at the usual prices, and to pay for them within a fortnight after the town should be rendered or quitted to him, and gave them leave to bring their goods to Lexden Heath to be bargained or

returned back as there should be occasion. We are not told whether the offer was accepted.

On the 20th Fairfax's trenches and redoubts had been completed along the west, and a bridge of boats thrown across the river near the farm called the Shepen. Two forts were also constructed, Fort Ingoldsby in front of the North Bridge, and Fort Rainsborough in front of the ford at Middle Mill, which was the other northern exit from the town by the Rye Gate. The investment on this side was completed by the arrival of a portion of the Suffolk Volunteers 2,500 in number, who encamped on Mile End Heath, still leaving strong forces at Cattaway and Nayland to guard the passages over the Stour against reinforcements from the north.

At the same time Colonel Barkstead was throwing up a redoubt across the Malden Lane on the west end of the south front. On the 26th the besieged made a sally against this work, but were driven back beyond their own guard-house, from which the hour-glass used for posting their sentries was carried off as a trophy. On July 1 Colonel Whally seized Greenstead church, opposite the Hythe, and erected a battery in the churchyard, while the Suffolk Volunteers seized the mill at East Bridge, and thus completed the investment. The Royalists sought to recover these posts by a great sally on July 6. Sir George Lisle and Sir Charles Lucas, at the head of 200 foot and 500 horse, marched out of the East Gate down the East Hill, carried with a rush the breastwork at the bridge end, and charged up the opposite hill; but here they were met by Whally's horse, thrown into confusion, and chased back into the town, losing many

killed and wounded. On the 14th, the Suffolk Volunteers took the Hythe and made prisoners of its garrison of Kentish men.

The Parliamentary general now proceeded to take the southern suburb. First a saker, planted on a platform in the bell framing of the tower of St. Mary-at-Wall, which commanded the approach and had done much execution, was silenced and the tower breached in the operation. Next the Royalist position at St. John's was cannonaded, a breach made, and the enclosure carried by assault. The gate-house still held out, but on the following day light cannon were brought to bear upon it, its magazine was exploded by a grenade, and the defenders retreated fighting through the postern gate into the town. That night the besieged, finding the suburb no longer tenable, fired it in several places and withdrew within the walls. Next day they fired the suburb of North Street and withdrew their forces on that side also within the town. During the confusion of the night of the 15th the Royalist horse tried to steal through the leaguer by crossing the river between the North Bridge and Middle Mill; but when they had forded the river, the miller, who acted as guide, misled them, the enemy's sentries took the alarm, and the attempt failed. On a subsequent night however two troops of horse did effect their escape, evading the watchfulness of the sentries on the south side of the town.

About this time news arrived day after day of the defeat of the various risings in different parts of the kingdom, of the forces of the Duke of Buckingham and Lord Holland in Surrey, of the Pontefract forces at

Willoughby, of the taking of 600 horse in Northumberland by Colonel Lilburn, and of the defeat at Linton of a party of 500 coming to reinforce this town. Still the garrison had hope of the Scots under the Duke of Hamilton, and of the forces in the north under Sir Marmaduke Langdale; and there were constant rumours that the Prince of Wales was about to land on the east coast with foreign succours.

The contemporary view of the importance of their prolonged defence of the town is illustrated by the following extract from Mercurius Melancholicus, No 49, July 24 to July 31, 1648, p. 131:[1] 'The brave and gallant defenders of Colchester highly merit the greatest additions of honours and reputation, who have so long given brave and full entertainment unto Sir Tho. and his whol Army.' The frequency and boldness of the sallies by which the besieged relieved the tedium of their situation and harassed the enemy are spoken of with high admiration by the contemporary journals. In one of these sallies Sir C. Lucas caused a bull to be sheathed in a thin coat of lead covered with flax, saturated with pitch set on fire, and driven among the enemy, while he with an armed force followed to take advantage of the confusion.[2] In the later period of the siege the

[1] Brit. Mus., King's Pamphlets, E 379.

[2] *Mercurius Melancholicus*, No. 1, July 21 to July 28, 1648. This curious incident is also spoken of in a pamphlet entitled *A Flaming Bull from Colchester*, same vol., article 7. Similar devices were employed by the Royalist defenders of Lathom House: a horse starred with match was sent out of the gate; a cord passed round a tree at some distance in the direction of the enemy and studded at intervals with match enabled the besieged to imitate the attack of a company of soldiers with matchlocks ready.

enemy's line had approached the wall so nearly on the south-east that the Royalist soldiers on the higher ground within the wall were able to talk to their besiegers outside, and occasionally the two parties took to pelting one another with stones. The siege had now lasted thirty-four days, from June 13 to July 16, with the result that all attempts at rescue had been intercepted, all sallies repulsed, and that the besieged had been compelled to abandon the suburbs and were shut up within the walls of the town. Fairfax either did not consider himself strong enough to storm the place, or perhaps was unwilling to incur the loss of an assault. He removed his head-quarters to the Hythe, and contented himself with maintaining a close investment, and leaving famine and discontent to do their inevitable work. To hasten the progress of the discontent among the soldiers he had arrows shot into the town, to which were affixed papers stating the terms which the Parliamentary general had offered and their own officers had refused; these were liberty to the soldiers, with passes to return to their homes, but the officers to be rendered to the general's mercy.

The mills on the river having been captured, the garrison set up horse-mills and hand-mills to grind their grain; a windmill set up on the top of the castle was destroyed by an unlucky shot from Rainsborough's fort situated on the hill opposite to it beyond the river. On the 20th the garrison began to eat horse-flesh, the first horse being roasted whole as on the occasion of some public rejoicing, and a feast made to encourage the men to take kindly to their new diet.

The inhabitants necessarily suffered greatly, and

their sufferings were embittered by the fact that they were endured in a cause with which they had no sympathy. Their complaints found utterance in a pamphlet entitled 'Colchester's Teares,'[1] which, though internal evidence shews it to have been written by partizans outside, relates, probably with no more than the natural exaggeration of excited feeling, the destruction of their houses, in the suburbs by the precaution of the besieged and in the town by the shot of the besiegers; the danger and fear to life and limb caused by the enemy's fire; the straits to which rich and poor alike were reduced, and the insults and outrages which men and women suffered from a garrison of reckless men, who knew them to be of the other party in religion and politics and secretly in the interest of the enemy.

At length, by the middle of August, no succour having arrived, and the provisions in the town being exhausted, the end approached. On the 17th 'the people rose in great numbers and came to Lord Goring's quarters, some bringing their children starved to death.' The same day the mayor wrote to the Parliamentary general begging that the townspeople might come out, for they had no provisions, the soldiers having seized them. Fairfax replied that he pitied their condition, but that to grant their request was to enable the town to hold out longer, and that his trust did not permit it. The next day the royalist leaders opened communications with Fairfax, asking to send a message to the king's forces, for they believed that the prince with a

[1] Among the collection of Civil War tracts in the British Museum, vol. of King's Pamphlets, E 379, article 16. It was reprinted by the late W. Wire of Colchester.

large fleet was in the mouth of the Thames, and promising that if not relieved within twenty days they would then treat. Fairfax replied that he hoped in much less time than twenty days to have the town without treaty. On the 24th the enemy flew a paper kite over the town and let it fall within the walls. To this kite were attached many papers containing an account of the defeat of the Duke of Hamilton and the northern Royalists who had joined him; and the investing army fired a salute in honour of the victory. By this time not only were the town's people starving, but the soldiers were growing mutinous and the leaders contemplated forming two bodies and trying to cut their way through the leaguer, but the soldiers refused to attempt it or to suffer their officers to attempt it without them.

At length, on the 27th, the town was rendered on the following terms: all horses with saddles and bridles to be collected at St. Mary's Church and delivered over at 9 A.M. on the following morning. All arms and colours to be deposited at St. James's Church. All soldiers and officers under the rank of captain to have fair quarter, surrendering in Friar's Yard by the East Gate at 10 o'clock. All superior officers to assemble at the King's Head Inn by 11 o'clock, and surrender to mercy. The total number who surrendered was 3,471, of whom 3,067 were common soldiers, 324 subordinate officers, 65 servants, and 75 superior officers. In reply to a demand for an explanation of terms used in the treaty, it had been defined that 'fair quarter' ensured to the soldiers their lives and clothing, and food while prisoners; and that 'surrendering to mercy' meant surrender

without assurance of quarter, the general being free to put some to the sword at once, and to leave others to be dealt with by Parliament. A fine of 14,000*l.* was laid upon the town, but Fairfax remitted 4,000*l.*, and 5,000*l.* was levied on the Royalists throughout Essex; so that Colchester got off with a payment of 5,000*l.*, of which 2,000*l.* was given to the Essex Volunteers as a donation, 1,000*l.* was given to the poor of the town to alleviate their pressing necessity, and the remaining 2,000*l.* was distributed as prize-money among the victorious troops.

About 2 P.M. Fairfax made his triumphal entry into the town with his staff and escort, and rode round it. He then retired to his headquarters at the Hythe, and a council of war assembled at the Moot Hall to try Sir Charles Lucas and Sir George Lisle, who were charged with having broken their parole, Colonel Farre, who was charged as a deserter from the Parliament army, in which he had formerly served, and an Italian soldier of fortune known as Sir G. Gascoigne, whose real name was Guasconi, as a pirate having no belligerent rights. Farre managed to escape, Guasconi was pardoned, Lucas and Lisle were condemned to be shot forthwith. They asked in vain for time to settle their affairs. 'At seven o'clock in the evening they were brought to a green spot of ground on the north of the castle, a few paces from the wall, where they were received by three colonels, Ireton, Rainsborowe, and Whalley, with three files of musqueteers who were to despatch them. Sir Charles Lucas was fixed upon to be the first to suffer, and being placed for that purpose, he said, "I have often faced death on the field, and now you shall see I dare die."

Then he fell upon his knees, and after having continued a few minutes in that posture, rose up with a cheerful countenance, and, opening his doublet, showed the soldiers his breast, calling out to them, "See, I am ready for you! Now, rebels, do your worst!" At the pronouncing of which words they fired, and shot him in four places, so that he fell down dead.'

'Sir George Lisle, who during the execution had been carried a little aside, being brought to the same place, and viewing the dead body of his friend, which then lay bleeding on the ground, he kneeled down and kissed him, praising his unspotted honour. Then, after some filial expressions of duty to his father and mother, and recommendations to some other friends, turning to the spectators, he said, "Oh! how many of your lives here have I saved in hot blood, and must now myself be most barbarously murdered in cold blood? But what dare not they do that would willingly cut the throat of my dear king, whom they have already imprisoned, and for whose deliverance, and peace to this unfortunate nation I dedicate my last prayers to Heaven?" Next, looking those in the face who were to execute him, and thinking they stood at too great a distance, he desired them to come nearer, to which one of them said, "I'll warrant you, sir, we'll hit you." But he answered, "Friend, I have been nearer you when you have missed me!" And so, after a short prayer upon his knees, he rose up and said, "Now, traitors, do your worst!" whereupon they shot him dead.'

The bodies were conveyed to St. Giles's Church, and privately buried in a vault under the north aisle belonging to the Lucas family. After the Restoration their

funerals were solemnized in a magnificent manner, on June 7, 1661, and a black marble stone was laid over the vault, with this inscription :—

Under this Marble ly the Bodies of the two most valiant Captains, Sir Charles Lucas, and Sir George Lisle, Knights, who for their eminent loyalty to their Soverain, were on the sixth day of August 1648, by the command of Thomas Fairfax, the general of the Parliament Army, in cold blood barbarously murdered.

There was a tradition in Morant's time that the Duke of Buckingham, who had married Fairfax's daughter, finding that this epitaph reflected upon his father-in-law's memory, applied to King Charles II. to have it erased. Whereupon the king mentioned it to Lord Lucas, who replied that he would readily obey the king's command provided his majesty would be pleased to permit him to put in the room of it that 'Sir Charles Lucas and Sir George Lisle were barbarously murdered for their loyalty to King Charles I., and that his son, King Charles II., had ordered this memorial of their loyalty to be erased.' Whereupon, it is said, the king ordered the epitaph to be cut in as deeply as possible. The epitaph is, in fact, cut in very large and deep characters.

To this day the fate of these two gallant gentlemen excites the keenest interest, and the justice or injustice of their condemnation is disputed by rival historians with the liveliest emotion. Especially the contest rages about the fate of Lucas. It is alleged that, having been taken prisoner on a former occasion by the Parliamentarians and released on condition of not serving again against the Parliament, he had broken his parole and so

deserved his fate. The charge is contained in a letter, of date June 17, which Fairfax sent in reply to a proposal from Lucas for an exchange of prisoners, in which the General states that Lucas had forfeited 'his parole, his honour, and his faith,' being his prisoner upon parole, and therefore not capable of command or trust in military affairs. To which Lucas replied:—

Sir, I wonder you should question me of any such engagement, since I purchased my freedom and estate at a high rate by a great sum of money which I paid into Goldsmiths' Hall, for which, according to the ordinances of the two Houses, I was to enjoy my freedom and estate. When I conceived myself in this condition, I sent a letter to your secretary, desiring him to advertise your Lordship that I had punctually performed my engagements as they stood in relation to your Lordship. Upon which I had notice from him that you accepted of my respects to you, which truly have never been wanting to your person. But, my Lord, besides my inclinations and duty to the service I am in at present, be pleased to examine whether the law of nature hath not instigated me to take my sword again into my hand; for when I was in peaceable manner in London, there was a price set upon me by the Committee of Derby House, upon which I was constrained to retire myself into my own country and to my native town for refuge.[1]

Fairfax's assertion that Lucas was still his prisoner on parole seems to be satisfactorily answered by Lucas's statement that, on making composition with the Parliament, he notified it to Fairfax as a discharge of his parole to him, and that Fairfax sent a civil reply, which, as it made no demur, amounted to an acquiescence in Lucas's view of the matter. But we need

[1] *Fairfax Correspondence*, ii. 57.

hardly dwell upon the point at greater length, for the charge was virtually abandoned; it was not brought against Lucas in his trial by the Council of War, and it is not alluded to by Fairfax in his justification of his execution. The best defence of Fairfax's conduct is that Lucas and Lisle had surrendered to mercy, when it had been carefully defined that it meant that 'the Lord General should be free to put some immediately to the sword,' with a plain intimation that he intended so to serve some of them; and that, in the words of the Council of War, 'it was thought necessary for the example of others and that the peace of the kingdom might be no more disturbed in that manner, that some military justice should be executed.'

In answer to Lucas's demand by what law they were to die, whether by an ordinance of Parliament, by the sentence of the Council of War, or by the command of the general, Ireton answered that 'it was by the vote of the Council of War according to an order of Parliament, by which order all that were found in arms were to be proceeded against as traitors.' In his report of the transaction to Parliament, Fairfax said that he had consented to the execution 'for some satisfaction to military justice, and in part of avenge for the innocent blood they have caused to be spilt, and the trouble and damage they have brought upon the town, this country, and the kingdom.' The execution caused an outburst of indignant grief at the time, and Fairfax was bitterly reproached for consenting to it. In his 'Short memorials of some things to be cleared during my command of the army' he makes the following defence:—

It is for me in this place to say something for my own vindication about my Lord Capel, Sir Charles Lucas,

and Sir George Lisle, who were Prisoners at Mercy upon the rendering of Colchester, seeing some have questioned the just performance of those articles . . . Delivering upon Mercy, is to be understood that some are to suffer, the rest to go free. Immediately after our entrance into the Town a Council of War was called, and those forenamed persons were sentenced to die, the rest to be acquitted; this being so resolved, I thought fit notwithstanding to transmit the Lord Capel, the Lord Norwich, &c., to the Parl$^{t}$ . . . as the most proper judges in their case, who were considerable for Estates and Families. But Sir Charles Lucas and Sir George Lisle, being mere soldiers of fortune and falling into our hands by chance of War, were executed; and in this I did nothing but according to my Commission and the Trust reposed in me.[1]

It is not true to say that Lucas was a mere soldier of fortune. He was the younger brother of Sir John, afterwards Lord, Lucas, descended from John Lucas, Master of the Requests to Edward VI., who bought St. John's Abbey and built a house there, in which his descendants had been seated ever since. The famous Duchess of Newcastle, who was Sir Charles's sister, gives some account of his youth in her Autobiography. Like many adventurous young gentlemen of his time he obtained some military training and experience in the Low Countries. When the Civil War broke out in England he offered his services to the king, and took a distinguished part in the subsequent transactions. At first he served under Prince Rupert, and later was often employed in independent commands. At Worcester he was Lieutenant-General of the Horse under Lord Astley; and when, in March 1646, Astley's forces were defeated at Stow-on-the-Wold, Lucas was one of those who were

[1] P. 123.

taken prisoners. It is presumed that it was on this occasion that he obtained his liberty on parole, as referred to above. Although Charles was only a younger son he had an estate of his own at Horkesley, and was heir to the honour and estate of his childless brother. Of the remaining prisoners Lord Norwich and Lord Capel were sent to Windsor Castle, and in 1649 were brought to trial in Westminster Hall and condemned. Lord Norwich was pardoned, but Lord Capel was executed. As soon as the prisoners had been disposed of, a grand review of the victorious army was held, salutes were fired, and the volunteers were dismissed. Fairfax marched out of the place with his regular troops on September 7, leaving Sir Thomas Honeywood in command of the forces which still held the town.

# CHAPTER XX.

## MODERN HISTORY.

Suspension of the Charter by Cromwell—Sir Harbottle Grimstone, M.P. for Colchester, elected Speaker of the New Parliament of 1660—Results of the Siege—The Charter of Charles II.—Second Charter of Charles II.—The Plague of 1665-6—The Earthquake of 1692—The Charter of James II.—The Charter of William and Mary—The Rebow Family—The Gray Family—Suspension of Corporate Life—Revival of the Charter—Reform Bill—Earthquake—Conclusion.

DURING the Protectorate, when the country was ruled by Cromwell's major-generals, Colchester was in the district of Major Haynes, Fleetwood's deputy for the Eastern Counties.

The character of the rule which the Lord Protector exercised through these agents is illustrated in his arbitrary interference with the ancient liberties of the Corporation. During the summer of 1655 Cromwell received complaints from divers of the 'well-affected' inhabitants of the borough, that for some time past elections had been made to offices in the Corporation which were disliked by 'honest men.' Very likely this was the result of some reaction of opinion among the burgesses since the early days of the Civil War, when Colchester was so zealous in the cause of Parliament. It is the more likely when we know that their

representative to the Long Parliament, Sir Harbottle Grimstone, who was at first a zealous Parliamentarian, had been disgusted by the turn which things finally took, and on the usurpation of Cromwell had retired to the Continent.

In consequence of these complaints Cromwell issued an order on June 28, that there should be no more elections to the Magistracy or Common Council till he should determine. The usual elections were therefore not made on the following November. But on its being represented to the Protector that the town was in consequence 'under some straights and inconveniences,' he issued another mandate to Major Haynes in December, that, being at Colchester, he should give directions for the elections for the current year, and 'take special care that the electors and elected be qualified according to our late Proclamation.' The Proclamation referred to was no doubt that of September 20, 1655, ordering that 'no persons who were aiding or assisting to the late King or any enemies of Parliament should be capable to elect or be elected to any office or place of trust or power in this Commonwealth.'

On the resignation of Richard Cromwell and the resumption of authority by the remnant of the Long Parliament, the mayor, recorder, and other burgesses of Colchester wrote a letter to Sir Harbottle Grimstone, the surviving member for the borough, calling upon him to resume his trust as their member; and the Convention Parliament, on April 25, 1660, elected Grimstone as its Speaker.

The town had suffered great and permanent injury from the siege both directly and indirectly. The

northern and southern suburbs had been burnt; the street outside East Gate had been reduced to ruins; the churches of the town had suffered greatly; the fine Norman minster of St. Botolph had been reduced to the ruinous condition in which it still remains, and its parish was united with All Saints; St. Mary's had been so shattered that it had to be rebuilt; St. Martin's tower was partly knocked down by cannon-shot from the forts on the north of the river; many of the houses had been more or less damaged, and much goods and property had been destroyed. The war indemnity which Fairfax exacted had been a heavy tax upon the inhabitants. The great houses of the two principal families, of the Lucases at St. John's and of the Grimstones at the Crutched Friars, had been reduced to ruins and were not rebuilt, and those wealthy families went to live elsewhere.

John Evelyn, in his Diary, under date July 8, 1656, gives a summary view of the town and its characteristics :—

> To Colchester, a fair town, but now wretchedly demolished by the late siege, especially the suburbs, which were all burnt, but were then repairing.

He was shown, as a kind of miracle, at the outside of the Castle the wall where Sir C. Lucas and Sir G. Lisle

> —those valiant and noble persons, who so bravely behaved themselves in the last siege, were barbarously shot—murdered by Ireton in cold blood, after surrendering on articles, having been disappointed of relief from the Scotch army, which had been defeated with the king at Worcester.[1] The place was

[1] A slip of Evelyn's for the battle of Preston.

bare of green for a large space, all the rest of it abounding with herbage. For the rest, this is a ragged and factious town abounding with sectaries. Their trading is in cloth with the Dutch, and baize and says with Spain; it is the only place in England where these stuffs are made unsophisticated.

This miracle which Evelyn mentions continued to be one of the sights of Colchester for many years afterwards. Newcourt (*Repertorium*, vol. ii. p. 168), writing in 1710, records that 'in the place where they fell it has been commonly said that the grass never grew afterwards;' and he gives his personal testimony that, 'being there in 1677 and in 1680, thirty-two years after the fact, I was showed the fatal place, and at both times I observed there was no grass growing in it, but long grass growing by the sides and hanging over the edges of it.'

De Foe, in his 'Tour through Great Britain,' describes Colchester as 'still (in 1724) mourning in the ruins of the Civil War,' and also relates the same story. 'The inhabitants,' he says, 'had a tradition that no grass would grow upon the spot where the blood of those two gallant gentleman was spill'd, and they showed the place bare of grass for many years, but whether for that reason I will not affirm; the story is now dropp'd and the grass, I suppose, grows there as in other places.' De Foe tells us that there were at this time five meeting-houses in the town, of which two belonged to the Quakers, besides a Dutch and a French Church.

Charles II. gave the borough a new charter, which is for the most part in precisely the same terms as the

charter of Charles I. The only alterations it makes are that the Corporation is henceforth to consist of a mayor, eleven aldermen, eighteen assistants, and eighteen common councilmen; and that the fair of St. Denis is shortened from eight days to four. Among other things it provides that the mayor, aldermen, assistants, and common council in their robes attended by the servants and officers of the Corporation with the mace, should go to Divine Service on Sundays and Holy Days. This new charter (of 1662), however, only lasted twenty-two years, for in 1684, in the fit of loyalty which followed the discovery of the Rye House Plot, when many corporate towns anticipated compulsion by surrendering their charters, Colchester was not behindhand; and its records contain the resolution in which the Assembly 'agreed, as a testimony of their duty and loyalty, to lay the charter of the Corporation at his majesty's feet and then humbly beseech his majesty to confirm the ancient customs and prescriptions of this borough, and to regrant them such privileges as his majesty in his wisdom should think fit.' The object which the enthusiastic loyalists had in view was to enable the king's ministers not only to put the government of the boroughs into trustworthy hands, but also to get men of the same character sent up as representatives of the boroughs in Parliament through the predominating influence which the Corporations exercised in the Parliamentary elections.

At the same time certain of the aldermen complained of some of their brethren, and petitioned the king for their removal from office. Their statements throw a little further light on the history of the town during the period of the Civil War. They represent that

Ralph Criffeild, Esq., formerly mayor, bore arms against the King and attended the Independent conventicle, and at a recent visit of the Bishop encouraged the rude multitude to cry 'here comes the Pope of Rome in his lawn sleeves' and to clamour against him. Nathanael Lawrence, Esq., they allege, bore arms against the late king, of blessed memory, and also against his present majesty, and was clerk to the committee of safety and frequented conventicles. They specify others and their offences; and finally represent that a disloyal faction had kept the magistracy of the town in their own hands, Criffeild, Green, and Hindmers having been chosen by the faction as mayor eight or nine times in twelve years, while the town clerk always sided with them, and summoned Grand Juries who screened those which were accused of sedition and nonconformity. It was not, however, till the beginning of the next reign that the Crown, by a mandate dated January 22, 1687, put in force its power to remove the aldermen and common councilmen thus complained of.

The new charter repeated the old one almost word for word in all general matters; but it again reduced the number of the Corporation officers to a mayor, eleven aldermen, fifteen assistants, and fifteen common councilmen, and the mayor was to be chosen out of the aldermen only, by the assistants and common councilmen. Especially the charter made some new provisions intended to secure that only sound churchmen and loyal subjects should be entrusted with municipal offices, and to give the Crown a power of control. No one was eligible to any office unless within six months at least before his nomination he had received the Holy Com-

munion, and before he was sworn in to any office he was required to take the oaths of allegiance and supremacy, and to subscribe the declaration in the Act for regulating corporations. All elections contrary to these directions were to be absolutely void. The charter also reserved to the king, his heirs, and successors, power from time to time to remove any officers by order of Privy Council; and the electors were thereupon to proceed to another election.

The plague of 1665–6 appeared here in August of the former year, and was very fatal; more so, De Foe says, than in any of the neighbouring towns or even in the City of London. It raged till December of the following year. The greatest number of deaths in any one week was in June 15–22, when they reached 195: the total number of deaths was 4,731. The oath book of the Corporation contains a record which throws some light on the horrors of the time, in the form of oath administered to the 'Searchers of the Plague.' It appears that their duty was to search out and view the corpses of all who died, to report cases of death from plague to the constables of the parish and to the bearers appointed to bury them. They were to live together, and not walk abroad except in the execution of their office of searchers; to keep apart from their families and avoid all society; and when abroad in the execution of their duty they were to keep as far distant from other men as they could, always carrying a white wand by which people might know them, and so avoid them. During this dreadful time Colchester received help from various quarters; especially from weekly collections made in the churches of London it received the total sum of

1,311*l.* 10*s.* It is pleasant to know that when London shortly after suffered from the calamity of the great fire, Colchester in its turn subscribed towards the relief of the sufferers to the amount of 103*l.* 8*s.* 9*d.*

A striking illustration of the dismay and confusion caused by the plague is found in a petition, dated 1698, of the Corporation of the Tailors of the borough, who had been incorporated by James I. for the government of their trade and of other trades named. They state that, chiefly owing to the dreadful pestilence, there had been neglect to choose proper officers, and that in consequence their letters-patent had become invalid; and they pray that new letters-patent may be issued, and further they pray that a new fair may be inserted in them. Both these requests were granted.

When James II. sought to 'regulate' the municipalities in furtherance of his designs upon Church and State, and summoned the Corporation to surrender their charter, Colchester was one of the few which complied, and received a new charter dated September 15, 1688. This charter confirms all the ancient franchises and privileges, but it reduces the number of officials to ten aldermen, including the mayor, ten assistants and ten common councilmen, empowering fifteen to hold an assembly and make by-laws. It also differs from the previous charter in this, that it not only does not require the sacramental test and oath of supremacy, but it expressly dispenses office-bearers from taking those tests; and it not only reserves power to the king in council to remove officers, but also gives power to put in officers at pleasure.

Soon after the accession of William and Mary an

Act of Parliament was passed (1690), restoring the rights of those corporations which had surrendered their charters to the crown during the two previous reigns, but Colchester seems to have been treated in an exceptional way. A report of the attorney-general on the Colchester charter, dated 1689, a copy of which is among the Corporation records, says that on August 1, 1689, the mayor, six aldermen, five assistants, and seven common councilmen, being a majority of the Corporation, refused to act any longer; and there was not, according to their last charter, a sufficient number left to do any corporate act, so that for some time the town remained without any government. At Michaelmas 1689, the king ordered the burgesses, as a temporary measure, to proceed in acting according to King James's charter; and thereupon they proceeded to 'a sort of election which was not according to any charter.' The attorney reports that, in his opinion, the ancient Corporation of Colchester did nevertheless still subsist, and recommends a regrant of the first charter of Charles II. Accordingly the new sovereigns, William III. and Mary, issued letters-patent, reciting word for word the first charter of Charles II., annulling the surrender of it, and amply renewing and confirming it, with the additional concession of a yearly fair near St. Anne's on the second Tuesday in April, to last till Friday, and a market every Tuesday.

An entry in the register of St. Peter's by the then vicar, R. Dickman, records an earthquake on September 8, 1692, which was very general over northern Europe, and which was so severe here that some workmen who were engaged on the repair of the church saw the steeple (tower) crack so that a man could have put his hand in

the cleft, and come together again without any harm. The record becomes the more interesting when we call to mind the subsequent earthquake of April 22, 1884.

The Records of the Corporation contain some interesting notices of the religious history of the town during the period of the Parliamentary usurpation of the government in Church and State. We have already seen that the confiscations of Church property at the time of the Reformation had reduced the livings of the principal parishes of Colchester to a very small sum, and when the loyalist and orthodox clergy had been driven out by the Committee for Scandalous Ministers and the riotous mob, there would be a lack of inducement to others to take their places. Under these circumstances the Corporation took steps to remodel the ecclesiastical organisation of the town.

On February 23, 1646, an Assembly of the corporate body ordered the imposition of a rate on all householders, not being tithe-payers, of twelve shillings in the pound on the amount of their rent, for the maintenance of 'such godly orthodox ministers that shall preach the Word and administer the Sacraments according to the laws of the realm or ordinances of Parliament;' . . . 'to be elected by the greater part of the parishioners of the parishes where they shall exercise their ministerial function.' It was probably found, however, that this order was not legal and could not be enforced; for in April 1650 it was ordered that the mayor and aldermen should go to London 'to petition Parliament to obtain a maintenance for the ministers of this town at the town charges.'

An Act was obtained under which, in September 1650, an order was made by the Assembly that the

mayor and others 'may raise 600*l.* by assessment on the houses and stocks of the town not to exceed twelve shillings in the pound.' The rate was made in that and the two following years. In July 1653 it was ordered that the rate for the 'parishes of Peter's, Runwell's, and Martin's' be made for a year and that it be paid to Mr. Edmond Warren, the minister elected and made choice of for those three parishes. This order was repealed at an Assembly of July 1655; but at the same time it was provided that the mayor and others should consult the high steward for the obtaining four able preachers to be settled in the town. We have no further information on the subject, and it would seem probable that the change of government consequent on Cromwell's assumption of supreme authority had not been favourable to the prosecution of the plan.

In the following year 1655 James Parnel, one of the sect of Quakers who suffered great persecution at the period, was confined in the small room in the north-west turret of the castle, and died there of the hardships to which he was subjected.

On the passing of the Uniformity Act of 1662, two of the ministers of Colchester, Owen Stockton, minister of St. James's, and the Edmond Warren above mentioned, who had held the vicarage of St. Peter's, seceded, and established a Dissenting congregation. They held their first meetings in a large room—no doubt that which is now the library—in the castle, and therefore with the permission and countenance of Sir J. Lenthall, son of the celebrated speaker of the House of Commons, the owner of the castle at that time.

In 1691 a meeting-house was built in St. Helen's

Lane adjoining the castle, and Mr. Daniel Gilson, whose father had seceded from the rectory of Great Baddow, was its first minister. Mr. Joseph Herrick was forcibly ejected by the congregation in 1816; and ever since that time this, like all the other original Dissenting meeting-houses, has been in the hands of the Unitarians.

A society of Independents had a meeting-house here at an early date in More Lane; a new and larger house was built for them in 1705 in Sion Walk, which continues to be the principal Independent place of worship.

The followers of John Wesley in 1759 built in Maidenburgh Street the first meeting-house of the society in Essex; it was rebuilt in 1800.

The Society of Friends were at one time numerous in Essex, and had a meeting-house in Colchester. At one time they met in St. Helen's Chapel, but in 1671 took a house in East Stockwell Street and altered it for their purposes.

In the eighteenth century the town slowly recovered from its depression; new families sprang up to take the place of the Lucases and Grimstones. The chief of these was founded by Isaac Rebow, who, born of a poor family of Flemish weavers, succeeded in making a large fortune, and whose public spirit led him to take a leading part in the affairs of the borough. He increased his wealth and strengthened his position in the town by marriage with Mary Leming, heiress of the family of Sayer, whose monumental brasses in St. Peter's Church testify to their ancient consideration. He was mayor for several years, was elected as a representative of the borough in Parliament, and continued to serve in all the Parliaments of William's reign,

and the first four of Anne and the first of George I. He was also high steward and recorder. William III. on several of his journeys to and from the Continent by Harwich, which was then the usual port of departure and entry, lodged for the night at the house of Rebow, then member for Colchester, and in 1693 acknowledged his hospitable entertainment by knighting his host.

In 1683 the castle was sold to a local man, John Wheeley, to be taken down, but after throwing down the upper part of the walls, which were pierced by galleries and large windows, he found the lower part of the fabric so solid and its destruction so costly that he abandoned the attempt. Rebow then bought it, but allowed it to remain as it was, and the only use he ultimately made of it was to cut off a disobedient grandson with the ruined castle as his sole inheritance.

Sir Isaac died in 1726. The heiress of the last male Rebow married Mr. John Gurdon of Litton, Norfolk, a descendant of Colonel Gurdon who was in the Parliamentary army at the siege of Colchester and sat on the court-martial which condemned Lucas and Lisle. Gurdon thereupon took the name of Rebow in addition to his family name, and his grandson, Mr. Gurdon-Rebow of Wyvenhoe Park, is the present representative of this old borough family.

The Grays rivalled the Rebows in their influence in the borough. Mr. Charles Gray married the widow of Mr. Ralph Creffeild, only surviving son of Sir Ralph Creffeild of Ardleigh and Mersea; it is he who appears in the complaint of the aldermen as one of the leading members of the Corporation in the reign of Charles II. Mr. Gray was returned as member for Colchester to the

Parliament of 1741, and sat in the four subsequent Parliaments. Through his wife, Mr. Gray came into possession of the castle, which her mother had purchased of the luckless grandson of Sir Isaac Rebow, and being an enthusiastic antiquary he effected the repairs and partial restorations which still exist, and offered the principal room in it for the reception of the library of Archbishop Harsnett. The Gray property and influence descended to Mr. Charles Gray Round of Birch Hall, who was recorder of the borough and its representative in Parliament. He gave the chapel of the castle on a long lease to receive the collections of Roman and other antiquities belonging to the Corporation and to the Essex Archæological Society, and subsequently another room as a record room for the proper housing of the valuable documents of the Corporation. The family is now represented by Mr. James Round, M.P., who is living again in the house known by the name of the Holly Trees, built within the grounds of the castle by his ancestor Ralph Creffeild.

In 1698 a Corporation was erected here by Act of Parliament for the maintenance and care of the poor; consisting of a governor, deputy-governor, assistants, and guardians of the poor, who were to be chosen at courts held before the mayor, and the mayor himself was to be one of the body. The Corporation was empowered to levy rates to be confirmed by the Justices of the Peace of the town.

For some years before 1741, through carelessness in not having elections to the corporate offices made in due form, the corporation subjected themselves to vexatious prosecutions. At length, informations in the

nature of a *quo-warranto* were brought against the mayor and aldermen, and they got out of their difficulty by disclaiming upon record in the King's Bench (April 6, 1742) their character of magistrates of the town. For years after no elections were made, and the charter lay dormant; and it cost twenty years of perseverance to overcome the legal difficulties in the way of its revival. Finally, on September 9, 1763, a new charter, or a renewal of the former one, passed the Great Seal, and was almost literally the same as that of William and Mary.

In the reign of George III., during the great French war, Colchester became an important military station, and the Prince Regent was a frequent visitor to the town.

The Reform Bill agitation, which gave rise to so many stirring scenes in the large towns, failed to excite much feeling in this ancient borough, which was not affected by it. But the Redistribution of Seats Act of 1885 took away one of the two members which it had sent up to Parliament ever since the first institution of the representation of the boroughs.

The most remarkable occurrence in the modern history of the place is perhaps the earthquake which occurred here and in the neighbourhood on April 22, 1884. Four of the churches of the town, and four hundred and nineteen other buildings, were injured so much as to require contributions for their repair to the amount of 1,857*l.* from the London Mansion House Fund raised for the purpose.

For a century past the town has greatly thriven—first as the centre of a flourishing corn-growing district; and though corn-growing has now ceased to be very

profitable, the prosperity of the town has been maintained by the number of soldiers quartered in it and the families of the officers who have taken up their residence there. Among the evidences of its prosperity are the restoration of St. Nicholas's church, in the middle of the town, from the state of ruin in which it had lain for two centuries, and the rebuilding of the church of St. Mary-at-the-Wall, the building of a new Corn Exchange and a School of Art, and, what is greatly to be regretted, the erection of a monstrous tower-like structure, surmounted by a reservoir for the supply of water, so large and lofty that it dominates and dwarfs the whole town.

Colchester was never the see of a bishop and therefore entitled to the rank of a city; it failed even to attain to the dignity of a county town. It only ranks among the towns of England as a Parliamentary borough, the thriving centre of a large agricultural district; but its ancient history, its Roman walls, its Saxon church, its Norman castle, its brick Priory church, and its profusion of Roman antiquities, make it a place of the greatest interest for the historian and archæologist.

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